California Journal

THE MONTHLY REPORT OF STATE GOVERNMENT AND POLITICS

Reagan and Moretti Tax Plans Clash

Expanded Budget Goes to Conference

Fair Employment Practices Challenged

Little Hoover Commission's Tenth Year

Utility Values Become Tax Issue

Complete State Election Results

May 1972 in Review

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Editor's Note

For the third time since our founding two and a half years ago we are compiling the statewide election results and making special arrangements to get them to you well before they are available anywhere else. The Office of the Secretary of State has cooperated in making printouts from their computer available to us as the machine spits them out. Our staff will be working around the clock to compile the data into a readable format. Our printer has made special plans to get out the magazine on time even though the insert comes to him late.

And finally, we have researched and perfected what we believe to be the state's first gremlin prayer. For there is one aspect of the process of compiling election results which remained in previous years disconcertingly removed from our ability to plan, and that is the gremlins which periodically attack the computers of the county registrars of voters. We think we have even that problem solved this year.

Thus as we review our preparations on the day before the election we are hopeful, though admittedly not certain, that the *Journal* will appear on time with the first complete statewide results available to you.

* * *

We are pleased to announce that, effective with the next issue, Bruce A. Keppel will join the staff of the *California Journal* as a senior editor. We are fortunate to have a man of his extensive experience and skill on board to help provide sure professional guidance to the *Journal's* continued growth.

Keppel is a native Californian and a 1958 graduate of Berkeley with honors in journalism. He brings twelve years of journalism experience to the *Journal*, including five year's experience with the U.S. Information Agency in France.

Since 1968 Keppel has been with the *Sacramento Bee* as a general assignment reporter, capitol bureau chief and weekend editor. Most recently he has served as assistant city editor.

* * *

The end of the school year brings the end of the internship assignments of Phillip A. Thomas and Jack Shiels. Both have made excellent contributions to the *Journal* in the last few months and we will be sorry to lose them. Phil has been our most prolific writer, drafting two articles on committee votes, an article on the capitol press corps, and a piece on public information officers which will appear in the next issue. Jack has to his credit the long and very well received piece on BART in the March issue and the article on the Little Hoover Commission in this issue.

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Governor Reagan and Speaker Moretti Again Back Rival Tax-School Finance Plans

For the third time in as many years the Governor and the Assembly Democrats are sponsoring rival tax packages which combine property tax relief and increased school support financed by increases in sales and other taxes. The Democratic measure, sponsored by Assembly Speaker Bob Moretti and co-authored by eleven Democrats and six Republicans, was introduced in mid-March and had passed to the floor of the Assembly before the Governor, with the backing of the Republican leadership, introduced his plan in the Senate. This delayed timing undoubtedly accounts for the fact that the Democratic bill (AB 1000) has several Republican co-authors and won Republican votes from Assembly Republicans in committee and on the Assembly floor. In explaining why he introduced his own tax plan so late in the session, Reagan told newsmen that experience (the defeats of the preceding two years) and the fact that this year "a major part of any tax reform had to be the solution to school financing" forced the administration to take the time to sort through a variety of alternatives before deciding on what it would finally propose.

Moretti Proposal

The Moretti bill raises approximately $1,451 million in new revenues (1973-74) to provide $500 million in additional school support, $742 million in local property tax relief and $210 million for renters tax reduction. According to Moretti, AB 1000 will result in a shift to "more equitable sources of revenue" and reduce the total tax liability of 95 percent of the state's married homeowners.

Moretti's bill, which has the backing of the County Supervisors Association, was approved by the Assembly Revenue and Taxation Committee on April 27th and by the Ways and Means Committee on May 4th. As it came up for vote on the Assembly floor May 18th, the day after Reagan unveiled his plan, Moretti said that he was assured 15 Republican votes, enough to give him the necessary two-thirds for passage to the Senate. As it happened, 14 Republicans joined 42 Democrats to give the measure a 56-16 margin, two votes more than the minimum. (As passed by the Assembly AB 1000 did not contain the tax relief and school aid provisions, because no expenditure bill may be passed ahead of the annual budget bill without the Governor's consent. These provisions will be added back in the Senate, as soon as the budget has been adopted.)

Reagan Proposal

"No single issue before the Legislature deserves a higher priority than meeting and solving this problem in the current session," Governor Reagan said as he submitted his counter-proposal. "Time is growing short. If we fail again this year, the people may act themselves through the initiative process." In saying this, Reagan was obviously referring to the Watson initiative which will go before the voters on the November ballot. The possibility that the initiative may pass, thus reducing local property taxes to a maximum of $7 per $100 of assessed valuation and forcing the Governor and the Legislature to raise at least $700 million in replacement revenues, is clearly the primary motivation behind both the Governor's and Moretti's tax programs this year.

Reagan's program promises to raise a total of $967 million in new revenues to which is added a combination of surplus state revenues and anticipated shared federal revenues totaling $340 million. This money is to be used to provide $860 million for the public schools, of which $650 million is for school tax reductions and $210 million is for increased spending, and $339 million for other tax reductions. Thus it, like the Moretti bill, is intended to reduce local property taxes and help to relieve the heavy dependence on such taxes for school support, a dependence which has produced the wide discrepancies in tax ability which the state Supreme Court found unconstitutional in its *Serrano* decision.

Summary of Opposing Tax Plans, 1973-74
(In millions)

	Governor's Plan	Moretti Plan
Expenditures		
Property tax relief	$ 892	$ 714
Other tax reductions	97	210
Additional school aid	210	500
Increased aid to local government	103*	28
	$1,302	$1,452
Revenues		
Sales tax increase	$ 585	$ 601
Bank & corporation tax increase	125	130
Income tax increase	—	720
Vehicle-in-lieu fee increase	103	—
Other taxes and interactions	154	—
State surplus/federal revenue sharing	340	—
	$1,307	$1,451

*Shared by school districts, counties and cities.

Reagan Plan Criticized

According to some observers, including state school superintendent Wilson Riles, however, it is doubtful that the Governor's plan, as presently structured, will

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COMPARISON OF THE PRINCIPAL PROVISIONS OF THE REPUBLICAN AND DEMOCRATIC TAX PACKAGES

Governor Reagan's Program (SB 1351)	Speaker Moretti's Program (AB 1000 as amended May 8th)
Revenues	
Sales tax. Increases sales tax by one-cent effective May 1, 1973 — $585 million.	**Sales tax.** Same: one-cent increase — $601 million.
Bank and Corporate tax. Raises bank and corporate tax by 1.4 percent January 1, 1973 — $125 million.	**Bank and corporate tax.** Raises bank and corporation tax by 1.4 percent — $130 million.
—	**Personal income tax.** Revises personal income tax brackets, lowering minimum from $2000 to $1500 and narrowing increments from $1500 to $1200; adds new brackets to maximum of 15% — $720 million.
Vehicle fees. Raises vehicle-in lieu fee (cars, trucks & busses) from 2.0% to 2.85% — $103 million.	—
Other taxes. Increases cigarette taxes by $.05 per pack and liquor taxes by $.50 per gallon — $144 million.	—
Federal revenue sharing. Anticipates $240 million in taxes returned to the state under pending federal revenue sharing legislation.	—
Surplus. Allocates $100 million of estimated $459 million state surplus for 1973-74 to school support. Sets aside an additional $240 million in case federal revenue sharing does not materialize.	—
Expenditures	
Schools. Increases state share of school foundation program to 50% with cost-of-living increases; requires $650 million reduction in local school property taxes; eliminates $125 basic aid guarantee to wealthiest districts — $585 million.	**Schools.** Allocates $500 million to Education Equalization Fund for apportionment in 1973-74, with subsequent cost-of-living increases. (Apportionment system to be added.)
Homeowners. In addition to school tax reduction, increases homeowners property tax exemption from $750 of assessed valuation to $1250 and up to $1,550 by 1975 — $232 million.	**Homeowners.** Increases homeowners property tax exemption from $750 to $2000 plus 10% of remaining assessed valuation — $714 million.
Renters. Gives renters a tax credit ranging from $20 to $50 — $84 million.	**Renters.** Provides a tax credit for renters of up to $80, or an equivalent "refund" for those who do not have an $80 tax liability — $210 million.
—	**Business.** Raises business inventory tax exemption from 30% to 50% — $58 million.
Income tax. Raises tax credit for single persons from $25 to $35 and gives heads of household credit for the first dependent — $13 million.	—
Local government. Allocates revenue from vehicle-in-lieu fee increase to cities, counties and schools — $103 million.	**Local government.** Increases reimbursements to local government for Williamson Act assessment reductions — $28 million.
Other	
Tax Vote. Proposes constitutional amendment to require either a simple majority or a two-thirds vote of both houses of the Legislature for any state tax increase, depending upon which the voters choose.	—
Tax ceiling. Requires approval of local voters for local property tax increases above the 1972-73 level.	—

substantially reduce the schools' dependence on the property tax. Moretti criticized Reagan's proposal as "too little, too late", but said he would do "anything reasonable to try to reconcile the issue" when the two proposals meet in the Senate. The Speaker said that his principal objections to the Governor's plan are that "70 percent of the property tax relief in Reagan's plan goes to businesses," and that it does not use the income tax as a revenue source. "We're never going to get the tax structure straightened out until we face the fact that taxation based upon ability to pay is the only equitable way," Moretti said. "California trails three-fourths of the states in the nation in its dependence on income taxes."

Moretti Plan Criticized

The chief differences between his plan and Moretti's bill, according to Governor Reagan, are that Moretti's bill has no provision for holding property taxes down once they are lowered and that "he has about two-thirds of a billion dollars in tax increase in that bill, and where we are reducing net income taxes by . . . changes in exemptions (by) about $14 million, his bill increases the state income tax $800 million." In addition, Reagan said, there is no "Serrano solution" in AB 1000.

In 1970 Governor Reagan lost his tax program when Senator Clark Bradley refused to join his Republican colleagues in voting for it, charging that the Governor's plan was a tax increase rather than tax relief. Last year negotiations between the administration and Democratic leaders broke down over several issues, of which perhaps the most important was the Governor's insistance upon some form of state controls over local government spending to guarantee that cities and counties would not offset tax relief with increased local expenditures. As a result, withholding was finally passed, but without any accompanying property tax relief.

Compromise Is Doubtful

Whatever the merits of the opposing arguments this year, it appears very doubtful that a compromise will emerge before the end of the 1972 session, now tentatively planned for June 30th. The tax bill fights of the last two years appear to have taken much of the energy out of the push for property tax reduction, and neither side seems to be ready yet to support the kind of massive increase in state school aid which compliance which the *Serrano* decision demands and which now overshadows all other issues of tax relief and reform.

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Increased Spending for Schools, Salaries, and Environment Seems Likely as the Budget Bill Goes to Conference

The Assembly, spurred on by Ways and Means Chairman Willie Brown, completed its review of the annual budget bill on April 4th, more than two months earlier than last year. The Senate Finance Committee, working at a somewhat more deliberate pace, as befits the upper house, required another month to finish its hearings and pass the bill to the Senate floor. The Senate version of the budget bill, SB 50 (Collier) was then passed to the Assembly on a 31-2 vote, and the Assembly as is customary, amended its version, AB 70 (Brown), into the Senate bill and sent it back to the Senate. The Senate, as usual, refused to concur in the Assembly amendments, and a conference committee was chosen to work out the differences between the two houses.

Members of the conference committee for the Senate are Senate Finance Committee Chairman Randolph Collier, Vice Chairman Stephen P. Teale, and Fred H. Marler. The Assembly members are Ways and Means Chairman Brown, Vice Chairman Frank Lanterman, and Carley V. Porter. Although the conference committee began meeting on May 23rd, the members indicated they did not expect to report a compromise bill out to the two houses until after the primary, and perhaps only a short time before the new June 15th deadline for passage of the budget by the Legislature. In addition to more than 100 significant differences between the two houses, the conference committee members must decide what they want to do with the very substantial 1972-73 General Fund surplus revealed by the administration just before the committee began meeting.

Assembly Version

The Assembly version is $273.9 million higher than the original Governor's budget, largely as a result of $73 million in amendments requested by the administration and a net figure of $191.9 million in changes adopted by the Ways and Means Committee. After submitting the budget to the Legislature, the administration found it necessary to request a number of additions, including $30 million in grants to school districts to replace school buildings which do not meet earthquake safety standards, $11 million for UC capital outlay, $7 million for state park acquisition and development, $4 million for a proposed new California Criminal Justice Board, and $1 million for fire protection equipment for state mental hospitals. A large portion of the administration's requests were granted in both houses, adding $73 million to the Assembly's version of the budget bill and $48.7 million to the Senate's version. (The Senate did not agree to the $30 million for school construction for earthquake safety.)

The largest single change by the Assembly was the addition of $100 million in public school support. The budget as originally submitted by Governor Reagan provided a $65 million increase in school funds to be allocated among all the districts which receive equalization aid. The Ways and Means Committee amended the budget bill to earmark the $65 million for compensatory education programs in districts with large percentages of disadvantaged students, and then put an additional $100 million in its place as an "inflation allowance," to be used only to fund "teachers, supplies and equipment which would not otherwise be funded." The committee also added a provision saying that the $100 million should be raised as high as $165 million if subsequent estimates of the budget surplus should permit.

Other Assembly Changes

Another major increase came as a result of the committee's acceptance of a recommendation by the Legislative Analyst that $58 million be added to budgeted salary increase funds. This amount will give university and college faculty a 12.5 percent raise and other state employees a 7.5 percent raise, rather than the 7.5 percent and 5.0 percent increases proposed by Governor Reagan. Although the Analyst based his recommendation on standard salary comparison data, the vote to augment the budget bill closely followed partisan lines, with Democrats voting for it and Republicans opposing.

Other changes approved by the Assembly Ways and Means Committee included: $10.4 million to set up an experimental system for roadside inspection of automobile emissions and disconnection of vacuum spark advances (a cause of automobile pollution) in the Los Angeles basin; a $6.1 million increase in UC support funds; an increase of $6.5 million in support for educational opportunity programs in the state colleges and community colleges; a $3.2 million increase for the State Scholarship Program; $3 million in welfare funds for "unmet shelter needs"; $3.8 million for supplemental welfare grants by the State Personnel Board; and a reduction of $3.8 million in administrative funds for the Department of Social Welfare. This last change reflected the considerable animosity which has developed over the past two years between many legislators and the top officials of the welfare department.

Lieutenant Governor Ed Reinecke also became the special target of the committee's Democratic majority. The Democrats charged that Reinecke was using too many of his own staff and the staff of several agencies under his control to prepare for his expected campaign for Governor in 1974. A special subcommittee chaired

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by Brown deleted six positions from the Lt. Governor's own staff and amended the budget bill to transfer the Council on Intergovernmental Relations and the Office of Intergovernmental Management to the Governor's Office, to eliminate the Intergovernmental Board on Electronic Data Processing, and to move the Commission on Marine and Coastal Resources to the Resources Agency. Although there was some doubt that all of these changes would stick, it was clear that the Democrats intended to do whatever they could to take away from Reinecke positions which they believed he has used for his own benefit.

Republican Objections

The Assembly's Republican Caucus Chairman, John Stull later charged that Brown "prevented responsible discussion of the issues involved [in the budget] through his hurry-up procedures" and "broke tradition" by appointing Democrats as chairmen of all six of the regular Ways and Means subcommittees. Moreover, said Stull, the addition of a seventh subcommittee, which Brown himself chaired, was solely for the purpose of providing a "hatchet subcommittee for the Speaker's political attacks on the administration."

Several Republicans also objected to what Ways and Means Vice Chairman Frank Lanterman termed an "intrusion into the constitutional and statutory responsibilities of the executive branch of government" — *i.e.*, the transfers and cuts in the Lt. Governor's Office, a shift of 35 auditors from the Department of Finance to the Controller's Office, and the reductions in the administrative staff of the Department of Social Welfare. They succeeded in holding off a final committee vote on the bill until after the Easter recess, but were warned by Brown that if they were not ready to vote by April 4th, the Democratic majority would send the bill to the floor with a straight party vote so as to avoid any blame for holding up the budget this year. The Republicans, with only nine of the committee's 21 members, lacked sufficient votes to effectively counter the will of the Democratic majority, however, and so they soon conceded the point.

When it came to a final vote to send the amended bill to the Assembly floor, only one committee member, Assemblyman Robert E. Badham, voted against the measure. Although other Republicans on the committee stated their opposition to various amendments, they all agreed to be recorded as voting "aye" in the interest of moving the bill to the floor without further delay. In all probability their willingness to do so, and the absence of strong Republican opposition in the subsequent floor debate, was largely a reflection of their belief that Governor Reagan would use his blue pencil freely, if necessary, to cut back spending added by the Legislature.

Whose Budget?

Despite the amendments they had added in the Ways and Means Committee, Assembly Democrats expressed no pride in the budget bill as a whole when it came to the Assembly floor. "Personally," Willie Brown told the Assembly, "I don't think [this budget] is meeting the needs of the state in human resources or education . . . This is Governor Reagan's budget, not Willie Brown's, make no mistake about it." But Republican Minority Leader Bob Monagan countered, saying, "this is not the Governor's budget; it is Mr. Brown's budget. He has got his footprints and fingerprints all over it . . . " Monagan nevertheless urged his fellow Republicans to give the Democrats enough votes to provide the two-thirds majority necessary for passage and said that he himself had no overwhelming objection to the increases adopted by the Ways and Means Committee.

On the day after the committee vote, which was the day before the floor debate, Governor Reagan accused the Assembly Democrats of choosing to "play games with . . . hard earned tax dollars" but told Republican Assemblymen not to block passage of the bill. "Reality demands that the Republicans, who haven't enough votes to change it, let it go to the Senate," Reagan said. "To block passage would only delay the budget process to no avail." Apparently the Republican Assembly leaders agreed, for when the floor vote came on Thursday afternoon, April 6th, the budget bill passed easily 55-16 with 17 Republicans joining the Democratic majority and only one Democrat defecting to the opposition.

Senate Version

The Senate Finance Committee added only $118.2 million to its version of the Governor's budget, in addition to the amendments requested by the administration. Like the Assembly, the Senate increased public school support, but by a comparatively modest $35 million. To do this the Senate deleted the Governor's proposed $65 million increase, raised an existing "inflation allowance" from $88 million to $166 million, and then added $22 million for very poor ("supplemental aid") districts.

In the matter of salaries the Senate went somewhat further than the Assembly, raising salary increase funds by a total of $60.5 million, but with the same general objective of a 7.5 percent increase for civil service employees and 12.5 percent for UC and CSUC faculty. Somewhat surprisingly, the senate also added $26.6 million to the UC budget on condition that the Regents abolish the tuition charge which they established at the Governor's urging in 1970.

Summary of Budget Bill Changes
(In millions)

	Assembly Version (AB 77)	Senate Version (SB 50)
Governor's Budget	$7,616.7	$7,616.7
Reimbursement-revenue shifts	9.0	9.0
Administration requests approved	73.0	48.7
Net changes by Assembly/Senate	191.9	118.2
Budget to conference committee	$7,890.6	$7,792.6

In other actions, the Senate cut $6.2 million from the Medi-Cal budget, $2.6 million from the State University and Colleges budget, and $4.6 million from administrative funds for the Department of Social Welfare. The Senate added $7.5 million for the Department of Mental Hygiene for local mental health programs, $3.5 million for local flood control subventions (as did the Assembly), $3.7 million for supplemental welfare grants by the State Personnel Board, and $1.1 million for community college education opportunity programs.

The Senate bill was sent to the Senate floor and passed on May 17th with scarcely any debate or controversy. The floor vote was 31-2, but only one of the no votes, that of Senator H. L. Richardson, represented genuine opposition. The other, cast by Senator Marler, was intended solely to qualify him for the conference committee, which in each house must include one

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member who has voted against the bill.

When he submitted his budget in January, Governor Reagan predicted a year-end General Fund surplus of $46.4 million for 1971-72 and $157.9 for the budget year, 1972-73. Democratic legislators in both houses believed that the actual figure would be substantially higher, however, as a result of unforeseen revenue gains from the adoption of income tax withholding and some additional growth in other revenues. Thus Assembly Democrats claimed that the $191.9 million which the Assembly added to the budget bill would be fully financed from revenue increases, and would in fact leave a surplus of $40 million to $50 million at the end of fiscal 1972-73.

Their expectations were surpassed, however, when Verne Orr, Governor Reagan's Director of Finance, announced with undisguised pleasure on May 18th that the latest revenue estimates pointed to a 1972-73 surplus far above previous estimates. Based upon his department's May review of current revenues, Orr said, the unrestricted surplus on June 30, 1973, was expected to reach $459 million, as compared with earlier estimate of $157.9 million. The $301 million increase primarily reflects a $238 million increase in projected sales and income tax revenues plus $63 million in unanticipated 1971-72 budget savings.

Confirmation of the increased surplus made it certain that the Assembly-Senate conference committee would agree on substantial augmentation to the Governor's budget, primarily for salary increases and additional state support for the public schools. The Governor himself promptly earmarked $340 million of the surplus for school aid and property tax relief in his new tax proposal announced on May 17th (see page 132), and later indicated he would propose an additional $56 million for salary increase funds to finance "inequity" adjustments for state employees and university and college faculty members. What remains to be seen at this point is how much additional school aid will be provided in the budget and whether Reagan will use his blue pencil as freely this year as he has in the past once the Legislature completes its work.

Voucher Experiment Begins at Alum Rock

Late in April, the U.S. Office of Economic Opportunity announced the award of a $1.8 million grant to Alum Rock Elementary School District for a two-year all-public education voucher pilot project. This summer, nearly 4,000 of Alum Rock's 15,000 students will be issued vouchers worth the cost of their education, which they will be able to use in the fall to choose among various education programs in six public schools. The schools, in turn, will derive their income by redeeming the vouchers of the students they enroll.

The population of Alum Rock, a low- to middle-income community east of San Jose, is approximately 50 percent Mexican-American, ten percent black, and 40 percent white. The schools and neighborhoods are well integrated, and Dr. William Jefferds, the District Superintendent, intends to see that this pattern continues. Thus, children will be assured their choice of educational programs, but will not be guaranteed school assignments. Only children currently enrolled, and their younger siblings, will be assured the right to remain in their "old" building. Transfers and newcomers will be subject to assignment to preserve integration.

Voucher schemes have been the subject of heated controversy over the past several years, with opponents, notably professional education associations, highly vocal in their condemnation. In the Alum Rock district, however, the teachers and administrators enthusiastically support the all-public voucher system as an important device to achieve decentralization and increase community and school interaction.

Although the Alum Rock program is restricted to public schools, there is some continuing interest in expanding the program. Legislation now pending would permit Alum Rock (or another district which tries vouchers) to include nonpublic schools. The bill, SB 120 (Harmer and Alquist) has been approved by the Senate Education Committee and is awaiting action by the Senate Finance Committee. Similar legislation last year, AB 150 (Ryan), cleared the Assembly and the Senate Education Committee, but died before Senate Finance in the closing days of the session. At this time, chances are about 50-50 that SB 120 will pass.

If it does pass, Alum Rock is not obligated to include nonpublic schools, but OEO is prepared to provide funding for an expanded program if the school board requests additional support. Jefferds, although not committed to including private schools, says he is not afraid to do so if experience with the all-public program suggests that expansion is desirable.

OEO's original voucher plan includes public and nonpublic schools, and that is still its preference. Additional interested communities across the country are being considered, and although most educators have been cautious about participating in a voucher plan which includes nonpublic schools, the climate seems to be changing. Enabling legislation was recently pushed through the Connecticut Legislature by a coalition of liberal democrats and conservative republicans, and signed into law by conservative Republican Governor Meskill.

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State Reports on Minority Hiring Record, Outlines Affirmative Action Program

Several weeks ago the State Personnel Board released the data from its fifth ethnic census of state employees, based upon the state's payroll for full-time, part-time, and temporary employees on November 1, 1971. According to these figures, total state civil service employment (excluding University and state college employees) dropped from 117,741 in 1969, the year of the last such census, to 115,645 in 1971, but the total number of ethnic minority employees rose from 16,459 to 18,350.

Mexican-Americans made the greatest gain between 1969 and 1971 — 24.6 percent (see Table 1) — just as they did between 1966 and 1969 when their numbers increased by 28.3 percent. For blacks, the increase between 1969 and 1971 was only 8.2 percent, but even that was an improvement over the earlier period when their numbers changed hardly at all. As a result of these gains, minority group employees now comprise 15.9 percent of the total number of state employees, while the white majority has declined from 87.1 percent in 1966 to 84.1 percent in 1971.

The revised federal census figures for California indicate, however, that minority groups account for 26.5 percent of the state's total population, while whites account for 73.5 percent. Thus the minorities, taken together, continue to be substantially underrepresented in state employment in relation to their population. According to the Personnel Board's figures (see Table 2), this is largely due to the very significant underrepresentation of Mexican-Americans, who have less than one-third the number of jobs they would be entitled to if employed in proportion to their share of the total population. Interestingly, those persons classified as Orientals are twice as numerous in the state civil service population as they are in the state population as a whole.

Blacks are represented in the state work force nearly in proportion to their percent of the total population, but they continue to be concentrated in the lower paying state job categories, as janitors, custodians, and laborers, in particular (see Table 3). Much the same, but to a lesser degree, is true of Mexican-Americans. Both blacks and Mexican-Americans, however, have made significant gains in the past two years in several higher occupational categories, including administrative staff positions, crafts and trades, field representative positions, and sub-professional/technical jobs. But neither group has made very significant gains at the professional level, where Orientals and other non-whites are more heavily concentrated than whites and where there has been a 7.6 percent reduction in the number of jobs.

The low median annual salaries for minority group employees (see Table 4) obviously reflect the fact that such persons remain concentrated in the lower

Table 1: ETHNIC DISTRIBUTION OF STATE EMPLOYEES

	Black	Mexican American	Oriental	Other Non-White	White	Total
Number						
1966	6,901	3,341	3,684	819	99,287	114,032
1969	6,910	4,289	4,144	1,116	101,282	117,741
1971	7,476	5,215	4,358	1,301	97,295	115,645
Percent						
1966	6.1	2.9	3.2	0.7	87.1	100.0
1969	5.9	3.6	3.5	1.0	86.0	100.0
1971	6.5	4.5	3.8	1.1	84.1	100.0

Source: State Personnel Board

Table 2: COMPARISON OF 1971 STATE WORK FORCE WITH 1970 CENSUS

	Black	Mexican American	Oriental	Other Non-White	White
Metropolitan Counties					
Total Population	9.0%	16.0%	2.4%	1.9%	70.7%
State Employees	10.9	5.4	4.8	1.4	77.5
Mid-Metropolitan Counties					
Total Population	4.8	14.8	1.2	2.1	77.1
State Employees	4.7	4.4	4.7	0.8	85.4
Rural Counties					
Total Population	2.9	14.8	1.0	2.5	78.8
State Employees	3.0	3.5	1.5	1.0	91.0
All Counties					
State Population	7.0	15.5	1.9	2.1	73.5
State Employees	6.5	4.5	3.8	1.1	84.1

Source: State Personnel Board

Table 3: PERCENTAGE OF EACH ETHNIC GROUP WITHIN SELECTED OCCUPATIONAL CATEGORIES, 1971

	Black	Mexican American	Oriental	Other Non-White	White
Clerical	22%	20%	32%	29%	18%
Supervising clerical	4	4	11	4	6
Sub-Professional/ Technical	21	27	10	14	16
Professional	14	13	24	20	16
Supervising Professional	4	4	11	6	11
Administrative Staff	1	*	1	1	1
Janitor, Custodian	16	6	1	6	3
Laborer	5	7	1	5	4

* Less than 0.5%
Source: State Personnel Board

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Table 4: MEDIAN SALARIES BY ETHNIC GROUP

	1966	1969	1971	Increase 1966-71
Black	$5,772	$7,008	$7,572	31.2%
Mexican-American	6,060	7,428	7,728	27.5
Oriental	6,676	8,112	8,604	28.8
Other Non-White	6,360	7,812	8,112	22.8
White	7,020	8,604	9,396	33.8

Source: State Personnel Board

paying jobs. Over the four-year period 1966 to 1971, moreover, the difference between the median annual salary for minority group employees and that for whites has increased, and the figure for whites has grown faster than that for any single minority group. Although blacks have enjoyed the second greatest growth rate, their median annual salary remains more than $1800 below that of whites.

Despite the evident growth in minority employment by state agencies, minority group representatives remain highly critical of state efforts to expand training and recruitment of minorities for state jobs. In a statement filed with the Legislature in March of 1971, the NAACP charged that "the state government of California over the last four years has had the worst employment record for blacks of any state in the union, including Mississippi." Six Mexican-American organizations issued a statement of their own a short time later saying that "While California is in the process of becoming the Mississippi of the West for blacks, it has already become the Texas of the West for Mexican-Americans."

Legislative Hearings

In response to these and similar statements, the Assembly Committee on Employment and Public Employees held hearings in April and May of 1971 to examine the charges and to hear what state officials had to say in their own defense. In their testimony before the committee, minority group representatives stated that the State Personnel Board's own figures — obtained in the 1969 survey of the ethnic composition of the state's work force — showed that minority employees were underrepresented in relation to state population figures, concentrated in low-skill occupations, and far behind white employees in their average salaries. This, said the black and Mexican-American spokesmen, was *prima facie* evidence of racial discrimination by the state. The principal cause, said Leonard Carter of the NAACP, was "the three I's — Inertia, Ineptness, and Indifference . . . which have permeated the executive, legislative and administrative levels of state government."

"The merit system perhaps is good for all those who are in it, but for all those out of it, it is not so good," said Mrs. Virna Canson, NAACP lobbyist in Sacramento. Martin Samaniego, state chairman of the Mexican Manpower Development Association of California, was especially critical of the Department of Corrections, which, he charged, had failed to appoint a Mexican-American as a prison superintendent, and the Human Relations Department, which he said had no Mexican-Americans in policy-making positions.

Representatives of the State Personnel Board answered these charges by saying that the board is "a recognized leader in developing civil service employment opportunities for the disadvantaged and minority group" but that "by no means is the State Personnel Board satisfied with our current situation." Richard Camilli, Executive Officer of the Personnel Board, noted that the civil service system is "really designed to meet two objectives: one, to assure the people of the state, through their tax money, that they are filling civil service jobs with the most qualified persons available. And secondly, to provide for all the opportunity to be considered for entry and promotion in state service to the best of their ability." But he also listed a number of things the state was doing to increase minority employment, including the ethnic survey itself, participation in a federally funded minority training and recruitment program, and the assignment of minority persons to applicant interview panels. "The Board believes there has been progress and also recognizes that more needs to be done," he told the committee.

Affirmative Action Recommendations

In a report issued in July of 1971, the Assembly committee concluded, on the basis of this testimony, that the "mere prohibition of discriminatory practices" in state employment isn't enough to ensure equal opportunity. "An affirmative action program is needed to achieve this goal," the committee said, and such a program should include, among other things:

Development of a continuing system for reporting and recording the ethnic composition of the state work force;

Elimination of irrelevant employment test questions;

Reduction or elimination of education and other requirements for "entry level" jobs, which are unrelated to the jobs and which may serve as unnecessary barriers to employment and promotions;

Intensification of recruitment efforts in minority communities;

Greater use of minority persons on applicant interview panels;

Expansion of the federally funded Career Opportunities Development program; and

Submission of progress reports by December 1, 1971 and June 1, 1972 describing the affirmative action programs of the Personnel Board and each state agency and recommending any legislation necessary to make such programs more effective.

These recommendations were incorporated in ACR 157 (Hayes) and passed by both houses of the Legislature as a formal directive to the State Personnel Board to intensify its efforts to employ minority group persons in the state civil service. In addition, the Legislature appropriated $7 million in August 1971 as part of the Welfare Reform Act to pay for a new Jobs for Welfare Recipients program ($5 million), to be administered by the Personnel Board, and an expansion of the board's Career Opportunities Development Program ($1.5 million).

Personnel Board's Program

The Career Opportunities Development Program (COD) is the heart of the Personnel Board's affirmative action effort. The principal feature of the program is the development of special entry level jobs throughout the state service for the employment of persons

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who lack the training or experience demanded for standard entry level positions. Such jobs are created in most cases by restructuring existing jobs to separate out work which demands little or no special skill. The next step is the development of recruitment and selection procedures to bring minority group persons into the new jobs. Once these persons have acquired some experience and any necessary training, it is expected that they will be able to move up into the regular civil service jobs, after, of course, passing the standard qualifying tests.

The program is administered by a small staff in the Personnel Board under the direction of Richard A. Bernheimer. Bernheimer developed the program in 1968 when private employers and minority group representatives convinced Governor Reagan that the State of California had failed to do many of the things it was urging other employers to do to improve employment opportunities for minorities. In July 1970, the U.S. Department of Labor agreed to fund the program with two grants totalling $1.3 million. This funding runs out in June of this year, but the program will continue with funds appropriated by the Legislature through the Welfare Reform Act of 1971.

Bernheimer, who has discouraged efforts to give the program more publicity for fear that expectations will outrun possible performance, believes that any such program must depend to a great extent on committed personnel staff within each agency. It is easy, he says, to find department heads who favor affirmative action employment programs, but it is something else to get such programs underway. Thus the key people in the COD program are the fifteen staff coordinators who are paid from COD funds to devote full-time to making the program work within each of their departments.

The latest figures for the program indicate that as of May there were 15 state departments and agencies (including the University of California) participating in the program. Fifty COD job classes had been created and there were some 1900 persons employed in these jobs. And, according to Bernheimer, 790 employees have moved from COD jobs into the regular civil service. In addition, the COD staff has been able to identify and publicize existing jobs and training programs for which many unskilled persons already qualify.

Other Actions

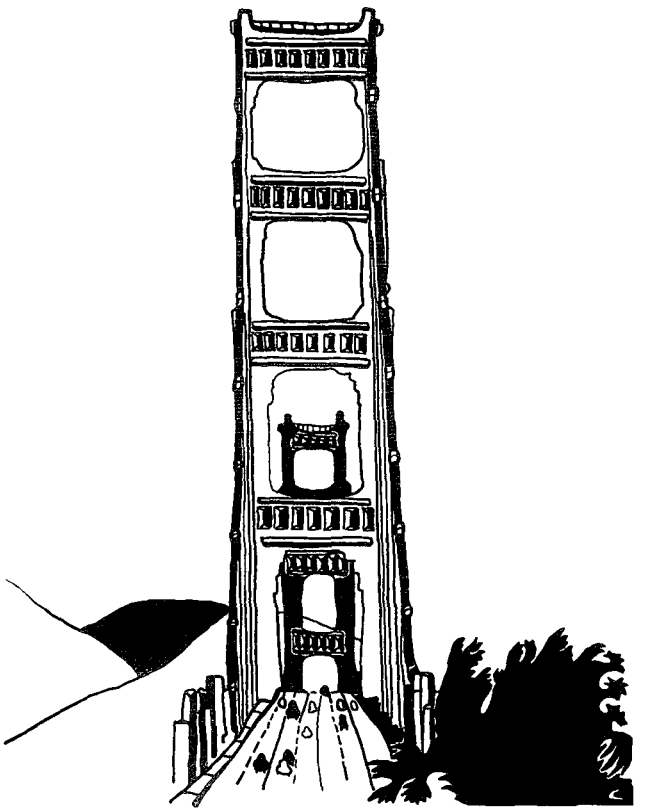
In addition to the Career Opportunity Development Program, the Personnel Board lists in its June 1st report to the Legislature (required by ACR 157) a number of other accomplishments and activities to demonstrate its progress in expanding employment opportunities. To replace the periodic ethnic surveys which have been the only source of reliable data on the composition of the state workforce, the board is developing an ethnic data information system which is to provide a continuing record of the ethnic distribution of civil service employees. This system is expected to produce up-to-date information on the total number of minority group persons employed by occupational level, job classification, location, and salary level.

The board also reports that it is continuing its effort to assure that all employment tests are "job-related", that unnecessary and irrelevant educational requirements are dropped, and that minority persons are used more frequently to give civil service tests and to serve as members of interview panels. The board has recently developed figures as to the composition of interview panels to show that for the standard three-member panels 20 percent of the chairmen are minority persons, as are 10 percent of departmental representatives, and 20 percent of the public members.

But Is It Enough?

There is, in sum, considerable evidence that the State Personnel Board and its staff are making a strong and continuing effort to increase the number of minority group persons employed by the state, within the constraints of the civil service system itself. As board member Frank M. Woods told the Assembly committee in 1971, however, the board's basic policy is embodied in Article 24 of the state Constitution, which states that appointments and promotions in the civil service "shall be made exclusively under a general system based upon merit, efficiency and fitness as ascertained by competitive examinations." Thus the board is not necessarily as free as are private employers to take direct action to increase minority employment rapidly and to make such an increase a primary goal of its hiring system.

In any case, minority group organizations remain dissatisfied, as evidenced by the action of the NAACP which last October filed suit in the U.S. District Court charging state agencies with continuing discrimination in employment, as well as in housing, education, banking, and veterans affairs. Among the specific allegations by the NAACP is the charge that Personnel Board policies result in low levels of minority employment by the state. State officials emphatically deny the charge, of course, but the proof must be found in the employment figures, and it is evident from the 1971 data that the state still has a long way to go before it can truly call itself an equal opportunity employer.



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Understaffed Fair Employment Practices Commission Finds Popularity a Mixed Blessing

BY GERALDINE M. RANDALL

Thirteen years ago, Californians agreed to make it unlawful to discriminate against a job applicant because of race, creed, color, national origin or ancestry. In 1971, sex discrimination in hiring was also declared illegal. But complaints under the California Fair Employment Practices Act have outstripped the capacity of the state agency created to deal with them, the seven-member Fair Employment Practices Commission and its supporting Division of Fair Employment Practices.

The division is authorized to employ 27 staff consultants and actually employs 25, each of whom faces a backlog of between 80 and 90 cases. Part of this backlog results from the increasing complexity of the cases before the commission, but part of it stems from the commission's new responsibility. Charges of sex discrimination now account for 20 percent of the FEPC's workload, but no additional staff has been authorized to handle it. The result has done nothing to assuage such women's rights groups as the National Organization of Women, a major source of sex-discrimination complaints.

The commission is also concerned with other forms of discrimination. In 1963 the commission's duties were expanded to include prevention of discrimination in housing. In 1968, it was empowered to "provide assistance to communities and persons therein in resolving disputes, disagreements, or difficulties" relating to discrimination against minorities "when . . . peaceful relations among the citizens of the community . . . are threatened thereby" (now referred to as "tension control"). Of its current budget of $974,982, 89 percent is allocated to employment, 10 percent to housing and 1 percent to tension control.

More Staff, More Duties

The Legislature last year sought to provide eight more consultants and four secretaries to handle the increased workload, but Governor Reagan used his veto power to cut the commission's budget back to his original request. This year, however, the administration has requested six more consultants, and the Legislative Analyst has recommended another four to specialize in sex-discrimination cases. Two of the administration's six new positions are to see that contractors on public works projects actively seek minority job applicants, under recent legislation giving the FEPC responsibility for certifying affirmative action programs on public works projects.

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At the same time, however, four bills in the Legislature may further broaden the FEPC's responsibilities. AB 1206 (McCarthy) adds age discrimination and is supported by the FEPC if staff is provided for the expected increase in workload. SB 476 and 477 (Roberti) add discrimination against the blind and physically handicapped and are opposed by the FEPC. The fourth bill, AB 471 (Ralph) gives the FEPC itself power to initiate complaints of employment discrimination, a proposal supported by the FEPC but vetoed by Governor Reagan last year.

Complaints Procedures

In handling complaints, the commission relies heavily upon conferences, persuasion, and conciliation to resolve the problems brought to it. More difficult cases may result in written accusations by the staff, however, in which case a public hearing follows, and if the commission's findings are upheld, a cease-and-desist order is issued. The commission may also order hiring, reinstatement, upgrading, back pay, admission to union membership or other appropriate relief for the complainant. And it may seek court injunctions to enforce its orders. In practice, however, these powers rarely come into play. Of the 13,195 employment cases handled by the FEPC between September 1959 and April 1972, only 37 led to public hearings.

Between September 1959 and April 1972, 11,582 cases of individual and 158 investigations of employer-

PENDING 1972-73 FEPC BUDGET

$1,086,417	Proposed by administration ($111,435 increase over 1971-72; $31,958 for program cost increases; $79,477 for 4 more consultants & 2 stenographers).
$ 68,110	Recommendation of Legislative Analyst for addition of 4 more consultants to handle sex discrimination complaints.
$ 42,708	Augmentation requested by the administration for 2 consultants & 1 stenographer to handle increased workload as a result of passage of AB 792 (1971) requiring FEPC to certify affirmative action programs for public works projects.
$ 17,495	Augmentation requested by the administration for certification of affirmative action programs by the state's three private medical schools. Approved by Assembly but not by Senate.
$1,214,730	Total if all items are approved by Joint Conference Committee & Governor.

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wide instances of discrimination were closed. In 2,922 cases, or 25 percent, "corrective action" was taken, while in 5,530 cases, or 65 percent, the commission found insufficient or no evidence of discrimination. Most of the remaining cases were either withdrawn or closed for lack of jurisdiction. Between September 1963 and April 1972, 2,030 housing cases were closed. Corrective action was effected in 1,068 cases (51 percent), and insufficient or no evidence of discrimination was found in 636 cases (32 percent).

Staff Workload

Further illustrating the commission's workload, on April 30, 1972, 1,455 individual employment complaints, 20 investigations, approximately 200 affirmative action plans, and 257 housing cases were outstanding. Of the division's 25 consultants, five are assigned to affirmative action work. Thus, with a full staff, each consultant would have an average of 80 pending employment and housing cases, plus any investigations to which he has been assigned. Each affirmative action consultant is assigned an average of 50 programs.

The staffing problem is readily apparent, but Paul Meaney, chief of the Division of Fair Employment Practices, says the lack of enough regional offices is another factor reducing the consultants' effectiveness. Meaney's headquarters staff shares offices with the San Francisco area staff. There is another office of similar size in Los Angeles, and there are offices in Fresno, San Diego and Sacramento, each with one consultant and a stenographer. Meaney would like to see additional regional offices established in San Jose, San Bernardino/Riverside, Orange County, and Oxnard. This, he said, would cut travel time, increasing each consultant's capacity to handle cases, and improve access to the FEPC.

Sex Discrimination

The responsibility for dealing with sex discrimination cases with no additional staff has done little to improve the division's efficiency. Not surprisingly, the FEPC's record in this field since the new provision took effect November 23, 1970, has not been impressive. Whether some insensitivity to the importance of this new area of responsibility must also be overcome remains to be seen, but there is evidence that it exists.

By September 1971, 348 individual complaints alleging sex bias had been filed with the commission — about 20 percent of all employment discrimination cases docketed since the sex amendment took effect. The discriminatory practices most commonly complained of by women were: salaries or titles incommensurate with those given men doing the same work; exclusion from "men's jobs", for example, from jobs as cab drivers, life guards, radio announcers, and engineering assistants; denial of promotions; exclusion from management training programs; and lack of advancement in educational fields and government positions.

About 10 percent of all sex discrimination cases were filed by men, whose most prevalent complaint was exclusion from "women's jobs". Complaints involving shift assignments were filed by both sexes.

An analysis of the 116 sex discrimination cases closed by the San Francisco office of the Division of Fair Employment Practices by November 1, 1971, produced the following record: there was "no determination as to inequities" in 72 of the cases, the complaint was sustained in 29 cases, and an adjustment was made in 47 cases (although not necessarily through FEPC action). A close examination of the 47 cases recorded as "adjustment effected" revealed, however, that many adjustments either did not fully eliminate the discrimination found, or were of doubtful efficacy.

For example, in 17 identical cases involving the University of California, the University was found to have maintained two classifications for jobs involving identical duties: "maids" (all female) and "custodians" (99 percent male). Maids were paid 20 percent less and were laid off without pay during summer and academic holidays; custodians, in general, were not. Commissioner C. L. Dellums ordered these cases closed when the union involved signed an agreement, even though the discriminatory classifications and a 12 percent pay discrepancy remained.

In another case, the complainant alleged that a public library refused to hire women as shelvers. The com-

Women in the Civil Service

The National Organization for Women is now bringing pressure to bear on the State Personnel Board, through the state Fair Employment Practices Commission, to provide a detailed analysis of civil service employment by sex similar to the board's reports on the ethnic composition of the state work force. At present, however, the only data on the distribution of female employees is to be found in the board's annual reports on the total number of civil service employees by occupation group and by organization.

As might be expected, women are concentrated in jobs categorized as office and allied services (typing, secretarial, machine operation, filing, etc.), accounting for 87 percent of full-time employees in that category and 57 percent of all full-time female employees. The other major occupational category for women is medicine and allied services, which includes nearly 7,500 women employed as nurses in state institutions. Relatively few women are found in the fields of engineering and allied services, mechanical and construction trades, legal services, and regulatory and public safety jobs.

FEMALE CIVIL SERVICE EMPLOYEES
BY OCCUPATIONAL GROUP

	Full-Time		Part-Time	
Occupational Group	Number	% of Total	Number	% of Total
Agriculture & Conservation	41	0.8%	143	13.9%
Office and Allied Services	21,508	87.4	3,669	88.4
Custodian and Domestic Services	1,293	30.3	565	44.9
Education and Library	268	20.1	106	23.5
Engineering and Allied Services	330	3.0	20	6.5
Fiscal, Management and Staff Service	1,019	13.5	144	22.0
Legal	95	8.7	5	25.0
Mechanical and Construction Trades	171	1.8	72	9.1
Medicine and Allied Services	8,131	63.7	828	45.1
State Emergency Disaster Program	-0-	-0-	1	25.0
Regulatory and Public Safety	238	2.5	14	4.5
Social Security and Rehabilitation	4,218	28.9	2,494	72.2
Total State Civil Service	37,312	37.0%	8,061	56.5%

Source: State Personnel Board

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plaint was sustained and a pattern of sex discrimination, especially in professional positions, was noted. However, the only adjustment was the hiring of one woman, not the complainant, as a shelver.

In a case involving denial of reemployment after maternity leave, the adjustment was an agreement that the employer would rehire the complainant only if a "suitable" opening occurred. In another case, in which a woman had been demoted because of her sex, the adjustment was a financial settlement. The emphasis in all of these cases — representing 20 of the 47 adjusted cases — appears to be on placating the complainant, rather than on rooting out sex discrimination.

In the three investigations and affirmative action surveys to date which have included consideration of sex discrimination, there is also more than a suggestion that the commission has not attacked sex discrimination with as much zeal as it displays in matters of racial discrimination.

This lack of rigor in dealing with complaints of sex discrimination is perhaps best revealed in the FEPC's study of the County of Marin, a study which it apparently undertook with some reluctance and only after considerable pressure from NOW. The commission's report concluded that complaints of unfair practices lodged by the National Organization of Women "were substantially correct," but then qualified its conclusion in these terms:

> "There appear to be several basic factors which have and will continue to contribute to the situation alleged to by the NOW group. It must be taken into consideration that Marin County, like most civil service employers, experiences very little turnover by the employees, especially among females in the upper job classifications. Department heads in almost every instance spoke of a low turnover rate and the length of tenure enjoyed by their workers, especially females. It was estimated that the average tenure for female employees was approximately 10-15 years. Another factor which tends to stabilize existing conditions would be the absence of complaints from females working within the system relative to their positions, classifications, and salaries."

If all hiring and promoting were done on a nondiscriminatory basis and the females hired remained longer, an overrepresentation of females — assuming equal qualifications — would seem the logical result.

Sex-Bias Within the F.E.P.C.?

F.E.P.C. Commissioner Jacob Stuchen at the August 6, 1971, monthly meeting of the Commission said (the meeting was tape recorded by a member of the audience):

> Why are you so concerned about the women? I know it's part of the law, but I personally think that it's adding a great deal of confusion to a very serious situation. If we can't give all our energy toward the alleviation of what we think racial discrimination is — the women — you've mentioned the women quite often — I think most of us — at least I feel — that they are confusing this whole thing, a serious thing . . . and [are] adverse to the interests of minority groups.

Given the acknowledged higher turnover rate for men in the upper classifications, the county might have been expected to show progress toward eliminating the underrepresentation of women. Thus, one factor "which contribute[s] to the situation" may be construed as an indication of sex discrimination, rather than as an acceptable explanation for the inequities which exist. The second factor cited (absence of complaints from present female employees) is also unacceptable as a justification for these inequities. Among the reasons why an employed woman will not complain about working conditions, quite obviously, is a fear of losing the job she does have.

Ethnic and Sex Breakdown of the FEPC and its Employees

	Commissioners		Consultants*		Other Prof.		Clerical**		Total	
	M	F	M	F	M	F	M	F	#	%
White	3	—	9	3	2	1	2	9	29	50.9
Black	1	1	9	1	3	—	—	5	20	35.1
Span. Surname	1	1	2	—	—	—	—	2	7	12.3
Oriental	—	—	1	—	—	—	—		1	1.8
Sex Subtotal	5	2	21	4	5	1	2	16	***	
TOTAL	7		25		6		18		57	100

*Two vacancies
**Three vacancies
***Women hold 17.9 percent of non-clerical positions
Source: FEPC staff

The following observation from the FEPC report also suggests an attitude that would be conducive to sex discrimination in the county's various departments:

> "It is the general consensus of the department heads, with few objections, that NOW's charges of bias in relation to females were completely unfounded and without justification . . . The terms, "frustrated females", "troublemakers", etc., and other negative connotations (sic) were used quite frequently when referring to the NOW group."

FEPC Staff

It may be significant, as the FEPC moves further into this new field, that only three of the division's present 25 consultants are women, while ethnic minorities are generally well represented.

Should the requested staff and budget increases materialize, increasing the number of consultants by as many as 10, the Division of Fair Employment Practices will have a chance to improve the balance, and bring a female staff member into its policy-making domain, now a male preserve. If the positions do not materialize, however, the backlog of cases can only grow, providing more fuel for the growing feeling that governments too often fail to respond to critical human problems.

State Reptile: Desert Tortoise

The Assembly has unanimously approved a bill designating the desert tortoise as the "official state reptile" of California. At the request of school children from his Santa Clara County district, Assemblyman Richard D. Hayden introduced the bill, which still must be approved by the Senate and the Governor. Meanwhile, debate rages over the naming of a state fossil. The saber tooth tiger lobby has managed to stall the trilobite forces, and it appears at this writing that the state will be without is own official fossil unless a compromise can be worked out soon.

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The Worth of a Thing is the Price It Will Bring – But How Much Would You Pay for PG&E?

On May 9th the State Board of Equalization met in Sacramento, as it does each year, to establish the assessed valuation of the public utilities which operate in California, so that county assessors can determine the property taxes those utilities must pay in each county. Ordinarily this meeting proceeds without controversy, and the board members arrive at their collective judgment with little or no disagreement.

This year was different, owing entirely to the presence of William Bennett, a prominent consumer advocate who was elected to the board in 1970. Bennett, who evidently harbors a massive distrust of the utilities from his five years first as chief counsel and then as a member of the Public Utilities Commission, charged that the board, in a 4 to 1 vote, in effect had given the utilities a $207 million tax break. The majority of the board, said Bennett, had agreed that the total market value of the utilities for 1972 is $15.5 billion, whereas it should have been set at $24.6 billion, which means that their combined assessed valuation (at 27 percent of market value) will be $4.3 billion rather than $6.6 billion, and their total property tax liability will be $388.8 million rather than $596.3 million, which Bennett believes they should pay.

Although at least one of the state's major newspapers carried this story back in its financial pages, it is clearly a matter of considerable interest not only to the utility companies but also to everyone who pays property taxes, as well as to school administrators and other local officials who are concerned about the amount of revenue which local property taxes will produce next year. State assessed public utilities account for approximately nine percent of total assessed valuation subject to property taxes and therefore produce roughly nine percent of total property tax revenue — and substantially more in those counties, such as Los Angeles, Orange, San Bernardino, San Diego, and Alameda, in which the utilities own and operate major facilities. And although Bennett has never been shy about attacking the utilities in public or about exploiting the resulting publicity, it is also true that the courts, including the U.S. Supreme Court, have often agreed with him. For these reasons, if for no other, Bennett's charges that California's public utilities have been drastically undervalued by the State Board of Equalization merit careful examination.

Market Value

Article XIII, Section 14 of the California Constitution states that all pipelines which cross county lines, and all property, other than franchises, owned or used by railroad companies, railroad car companies, express firms, telephone and telegraph companies, and gas and electric companies shall be assessed annually by the State Board of Equalization "at the actual value of such property." "Value", tax experts agree, is synonomous with what economists call "market value", and that term has been defined as "the price at which a property would be transferred to a reasonably well-informed buyer who is able, ready and willing, but not forced to buy from an equally well-informed seller who is ready and willing, but not forced to sell."

For most property, the market value can be estimated and then checked against actual sales of the same or like property. The major utilities, however, are very seldom bought and sold, so that only in rare occurrences can the estimated market value of their property be compared with an actual sales price of the property. Thus, as many assessors readily admit, the market value of a large utility is in some sense only an "invention" of the assessor — an invention which can be challenged in the courts.

In general, the courts have given state and local taxing agencies considerable latitude in the methods they may use in estimating the value of public utilities. There are, however, four basic methods of estimating value which are widely accepted (although each has its own advocates):

(1) *Reproduction cost new less depreciation.* This is the cost of reproducing a piece of property (plant, pipeline, etc.) at current prices less an allowance for depreciation. This method is commonly used, with some modifications, for valuation of business property.

(2) *Historical cost depreciated.* This is the original cost of a piece of property less a depreciation allowance.

(3) *Capitalized earnings.* Capitalized earnings are the present worth of projected future income which the property is expected to produce. Future income may be projected either from current income or an average of past income over one to three years.

(4) *Stock and debt.* This is the total value of all of the outstanding securities of a corporation as determined by current market quotations. This value is derived for all utility companies whose securities are traded on the market in quantity.

The California Public Utilities Commission (PUC), in fixing telephone, gas, and electric rates, uses something like historical cost depreciated, and it is for this reason that many experts, including the staff of the State Board of Equalization, consider it to be a measure

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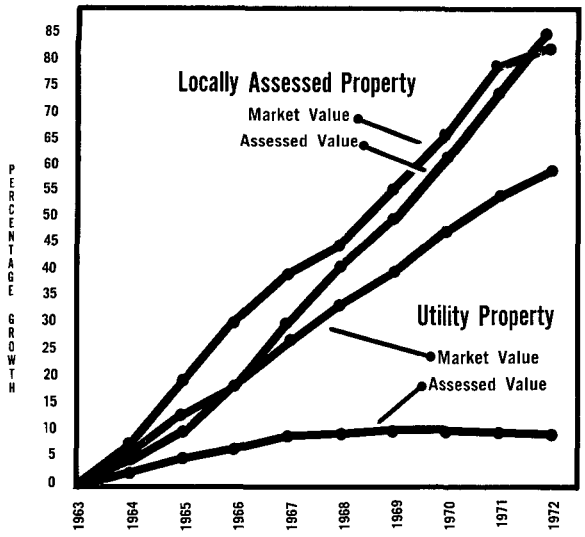

Percentage Growth for Market and Assessed Value of Utility Property as Compared with Other (Locally Assessed) Property, 1963-1972.

of the maximum market value of a utility. Since it is used as a basis for rate-making, they argue, a buyer who pays more for a utility than the historical cost depreciated makes a bad bargain, for that buyer will not be allowed to recover the excess cost but will have to pay for it out of subsequent earnings. For this reason, most of these same experts oppose the use of reproduced cost new less depreciation for utility valuation. It is always much higher than historical cost depreciated and therefore may represent a value which would be unrecoverable in an actual sale.

Many of these experts agree, however, that capitalized earnings and stock and debt provide useful indicators of value which must be given consideration either in modifying value determined according to historical cost less depreciation or, in some cases, as primary indicators of value.

Those, like William Bennett, who argue for the use of reproduction cost new less depreciation say that in most of the few utility sales which do occur (as when a city buys up a small private utility) the prices are usually quite close to reproduction cost new less depreciation, regardless of the rate-making base. Therefore, they say, there is no justification for using a different method of valuation than that used for other property by county assessors. The fact that the PUC uses some form of historical cost depreciated in fixing utility rates is not of overriding importance, they say, because it is the duty of the Board of Equalization to determine utility values in a way which most closely approximates estimated sales prices, not according to the procedures of the PUC.

Should the Board of Equalization begin valuing utilities at reproduction cost new less depreciation, others argue, the utilities would undoubtedly take them to court and the courts would very likely find the valuations unfair and illegal. Bennett of course disagrees and cites a decision by the Kansas Supreme Court in December 1971 which upheld a valuation by the Kansas State Board of Tax Appeals which was based 85 percent on "trended cost", which is synonomous with reproduction cost new less depreciation. The court argued that it would be inequitable to use another standard, such as historical cost less depreciation, which is not used for homes and other property as well. The case had added significance because the Kansas equivalent of the PUC calculates utility rates on historical cost less depreciation, just as California does.

In the past, the individual members of the Board of Equalization have rarely revealed how they have arrived at a single market value figure for each utility from the four sets of figures given them (in most cases) by the staff. This year, however, Bennett made no secret of his method and asked the other four to explain theirs. which they did. In determining the market values for the "big six" utilities, three members, John W. Lynch, Richard Nevins and Controller Houston I. Flournoy, said they took a simple unweighted average of the figures for historical cost depreciated, capitalized income, and stock and debt. (In the case of capitalized income and stock and debt, however, this required selecting from a set of three figures provided by the staff.) George R. Reilly said that in every case he stuck with the staff recommendation, which was also an average of the three values but which gave less weight to stock and debt value and was consequently somewhat higher than the figures selected by the other three members. Bennett, of course, invariably selected the figure for reproduction cost new less depreciation and was much higher than the others.

When it came to selecting a compromise figure, Bennett was regularly voted down 4-1, and a figure was chosen from within the range of those selected by the other four members. For the remaining 25 smaller utilities, however. Bennett suggested that the board should at least take the recommendation of the staff, and was surprised when the other four members agreed with him — thus adopting a different, and somewhat higher set of figures for the smaller utilities than for the six largest companies.

The difference between the valuation figures for the "big six" companies based upon reproduction cost new less depreciation and those chosen by the board's majority is shown in Table 1. In each case the valuation determined by the board was substantially below reproduction cost new and even somewhat below the staff recommendation.

After the board has established the market value for the utilities. it must then decide upon the assessment ratio to be applied. Although the constitution states that "All property subject to taxation shall be assessed for taxation at its full cash value," in the case of locally assessed property it has been decided that a uniform assessment ratio of 25 percent will meet this requirement; that is, that a house with a market value of $20,000 shall have an assessed value of $5,000

Table 1: A COMPARISON OF THE VARIOUS "MARKET VALUES" OF CALIFORNIA'S BIG SIX UTILITIES, 1972
(In millions)

	Production Cost Depreciated	Historical Cost Depreciated	Staff Recommendation	Board Decision
Pacific Gas & Electric	$ 6,953.7	$ 4,325.6	$ 4,165	$ 4,100
San Diego Gas & Electric	885.5	561.4	530	525
Pacific Lighting	1,732.5	909.8	810	805
Southern California Edison	4,851.8	2,983.6	2,850	2,806
Pacific Telephone	7,038.5	5,295.8	5,215	5,116
General Telephone	1,057.2	1,477.6	1,415	1,415
	$23,319.2	$15,553.8	$14,895	$14,767

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Complete Election Results

Primary Election

June 6, 1972

Tabulated on the following pages are the results of the June 6th primary election for President, Congress, state Senate and Assembly, and state ballot propositions. Results were obtained from the Secretary of State but remain unofficial until certified at a later date.

Incumbents are capitalized, nominees are underlined and party designations are: Democratic, D; Republican, R; American Independence, A; and Peace and Freedom, P.

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Statewide Races

PRESIDENT

McGovern	**D**	1,527,274	**Nixon**	**R**	2,016,142
Muskie	**D**	71,644	**Ashbrook**	**R**	219,662
Chisholm	**D**	155,050			
Lindsay	**D**	26,669			
Humphrey	**D**	1,352,153	**Hemp**	**A**	16,283
McCarthy	**D**	33,518			
Yorty	**D**	49,456			
Jackson	**D**	28,146			
Wallace*	**D**	205,878	**Spock**	**P**	15,664

*Write-in. Does not include twelve counties with 2029 of the state's 22,647 precincts.

PROPOSITIONS

	Yes	No
Prop. 1 Veterans' Bonds	3,718,746	1,959,905
Prop. 2 School Bonds	3,052,226	2,631,460
Prop. 3 Defense Counsel	2,850,260	2,656,061
Prop. 4 Open Presidential Primary	3,328,591	2,105,884
Prop. 5 Appointment of UC Regents	3,352,829	2,124,179
Prop. 6 Naturalized Citizen Voting	3,317,214	2,246,973
Prop. 7 Assessment Practices	3,699,186	1,761,762
Prop. 8 Chiropractic Amendments	3,843,418	1,373,995
Prop. 9 Environment Initiative	2,091,439	3,839,138
Prop. 10 Constitution Revision	3,330,611	1,733,229
Prop. A Southern Crossing*	292,540	966,440

*Bay Area only

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Congress

CONGRESS

1st District

CLAUSEN	(R)	62,549
Brown	(D)	25,677
Losh	(D)	19,591
Nighswonger	(D)	36,148
Ames	(P)	725

2nd District

JOHNSON	(D)	88,599
Callahan	(R)	28,827
Gilbert	(R)	24,474
Paradis	(A)	326

3rd District

MOSS	(D)	92,258
Boyes	(R)	20,502
Rakus	(R)	26,724

4th District

LEGGETT	(D)	70,508
Chang	(R)	20,385
Gyorke	(R)	17,472

5th District

BURTON	(D)	53,953
Gonzales	(D)	26,921
Powell	(R)	14,472

6th District

MAILLIARD	(R)	59,639
Boas	(D)	64,919
French	(D)	18,634

7th District

DELLUMS	(D)	84,269
Sestancvich	(D)	30,984
Bull	(R)	12,641
Den-Dulk	(R)	6,564
Hannaford	(R)	18,318
Schuh	(R)	5,441
Wysinger	(R)	3,699
Cortese	(A)	213

8th District

MILLER	(D)	19,497
Abbott	(D)	1,188
Davis	(D)	4,793
Michaels	(D)	3,482
Nordwall	(D)	2,996
Stark	(D)	50,611
Vogt	(D)	8,352
Trujillo	(R)	15,106
Warden	(R)	27,471

9th District

EDWARDS	(D)	65,026
Ervin	(D)	9,364
Smith	(R)	27,502
Kaiser	(A)	249

10th District

GUBSER	(R)	63,016
Gillette	(D)	34,962
Rosendahl	(D)	33,027

11th District

Ryan	(D)	73,591
Chase	(R)	23,835
Jackson	(R)	9,845
Wilson	(R)	10,817
Kudrovzeff	(A)	249

12th District

TALCOTT	(R)	53,842
Camacho	(D)	38,650
Hernandez	(D)	8,667
Vercoe	(D)	12,859
Monteith	(A)	406

13th District

TEAGUE	(R)	65,847
Cleveland	(D)	55,916

14th District

WALDIE	(D)	86,462
Sims	(R)	45,353

15th District

MC FALL	(D)	64,450

16th District

SISK	(D)	57,219
Harner	(R)	31,751

17th District

MC CLOSKEY	(R)	28,401
Barry	(R)	20,426
Cole	(R)	16,091
Chote	(D)	3,712
Duke	(D)	2,112
Gillmor	(D)	24,483
Hugle	(D)	15,898
Stewart	(D)	26,890

18th District

MATHIAS	(R)	44,846
Lavery	(D)	45,923

19th District

HOLIFIELD	(D)	36,009
Megdal	(D)	11,274
Sanchez	(D)	22,163
Fisher	(R)	19,241
Occhipinti	(R)	9,648
Harris	(P)	187

20th District

Binkley	(D)	36,682
Cavnar	(R)	1,506
Chandler	(R)	1,276
Coleman	(R)	2,115
Fox	(R)	4,936
Kratz	(R)	1,431
Lackey	(R)	586
Mathe	(R)	826
McColl	(R)	20,278
Moorhead	(R)	45,231
Stattin	(R)	10,077

21st District

HAWKINS	(D)	44,099
Lundy	(R)	9,921

22nd District

CORMAN	(D)	60,997
Cortes	(D)	10,375
Nadell	(R)	12,865
Wolfe	(R)	24,701
Shroyer	(P)	458

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23rd District

CLAWSON	(R)	56,176
Tuohey	(D)	33,209
Velasquez	(D)	28,168

24th District

ROUSSELOT	(R)	71,490
Luce	(D)	16,539
Mandell	(D)	32,043

25th District

WIGGINS	(R)	57,820
Craven	(D)	34,556
Olivet	(D)	19,099
Ramirez	(A)	506

26th District

REES	(D)	94,733
Anderson	(D)	4,345
Elledge	(D)	5,411
Snow	(D)	5,506
Rutta	(R)	34,919
Seidenberg	(R)	9,816
Timko	(P)	709

27th District

GOLDWATER	(R)	59,873
Butchko	(D)	8,306
Corey	(D)	7,478
Jennings	(D)	6,548
McInerny	(D)	13,725
Mitchell	(D)	7,824
Novak	(D)	25,835

28th District

BELL	(R)	63,235
Brown	(D)	8,815
Cox	(D)	5,693
Gallagher	(D)	8,278
Miciak	(D)	1,668
Shapiro	(D)	53,773
Hampton	(P)	881

29th District

DANIELSON	(D)	39,030
Ferraro	(R)	28,400
Blaine	(P)	476

30th District

ROYBAL	(D)	41,167
Buchanan	(D)	3,276
Scott	(D)	3,601
Brophy	(R)	18,267
O'Brien	(R)	3,734
McCammon	(P)	252

31st District

WILSON	(D)	37,178
Page	(D)	9,500
Shaffer	(D)	26,544
Valentine	(R)	31,961
Wood	(P)	227

32nd District

HOSMER	(R)	70,735
Mallonee	(D)	27,866
Murray	(D)	34,341
Donohue	(P)	437

33rd District

PETTIS	(R)	59,077
Gentile	(D)	16,697
Thompson	(D)	26,269
Weismiller	(D)	11,486

34th District

HANNA	(D)	56,645
Hayhurst	(R)	12,732
Ratterree	(R)	17,799
Rayburn	(A)	561

35th District

ANDERSON	(D)	38,542
Brown	(R)	24,106

36th District

Baker	(D)	15,017
Christiansen	(D)	15,122
George	(D)	4,155
Green	(D)	10,482
Lemucchi	(D)	20,045
Upp	(D)	5,593
Ketchum	(R)	37,613
Stephens	(R)	8,858
Armour	(A)	762

37th District

Brathwaite	(D)	50,296
Brogdon	(D)	6,658
Mills	(D)	32,375
Sands	(D)	2,074
Smith	(D)	2,420
Jones	(R)	4,847
Lewis	(R)	5,909
Tria	(R)	15,334
Haag	(P)	374

38th District

Ayala	(D)	18,182
Brown	(D)	19,413
Cleveland	(D)	1,188
Goggin	(D)	11,172
Green	(D)	654
McCarthy	(D)	1,981
McDaniels	(D)	967
Tunno	(D)	15,257
Andrews	(R)	9,162
Snider	(R)	13,266
Woods	(R)	6,699

39th District

SCHMITZ	(R)	37,862
Carraway	(R)	8,636
Denna	(R)	1,508
Hinshaw	(R)	40,214
Black	(D)	22,904
Lenhart	(D)	12,281
Loudon	(D)	3,805
Rapp	(D)	9,764

40th District

WILSON	(R)	73,311
Caprio	(D)	59,087
Thygeson	(P)	487

41st District

VAN DEERLIN	(D)	64,051
Kau	(R)	32,039

42nd District

Lowe	(D)	30,872
Tomchak	(D)	27,854
Burgener	(R)	66,272
Gage	(R)	7,635
Lewis	(R)	2,950
Ream	(R)	7,345
Moths	(A)	444

43rd District

VEYSEY	(R)	62,107
Randall	(D)	13,178
Robles	(D)	49,106

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Senate

1st District

COLLIER	(D)	69,654
Rogers	(R)	43,125
Sutley	(P)	928

3rd District

La Coste	(D)	67,157
Berryhill	(R)	33,355
Steele	(R)	2,598
Stokes	(R)	15,039

5th District

RODDA	(D)	72,621
Burns	(D)	13,970
McKinley	(R)	32,293

7th District

NEJEDLY	(R)	69,363
Tripp	(D)	84,802

9th District

MARKS	(R)	49,045
Pelosi	(D)	96,825
Scholter	(D)	16,524
Szafarski	(A)	234

11th District

PETRIS	(D)	160,724
Miles	(R)	64,320

13th District

ALQUIST	(D)	79,474
Hart	(R)	39,304

15th District

WAY	(R)	32,790
Davis	(D)	35,741

17th District

GRUNSKY	(R)	51,361
Paizis	(D)	44,599

19th District

RICHARDSON	(R)	80,019
Hart	(D)	56,246

21st District

HARMER	(R)	85,571
Melville	(D)	24,846
Rifken	(D)	38,180

23rd District

CUSANOVICH	(R)	80,090
Burke	(D)	66,390
Cogar	(D)	10,004
McGee	(D)	23,017

25th District

STEVENS	(R)	77,350
O'Neill	(D)	54,500
Soloski	(D)	29,832
Perrick	(P)	946

27th District

ROBERTI	(D)	44,990
Childress	(R)	13,153
Collins	(R)	10,378
Saxe	(P)	458

29th District

DYMALLY	(D)	58,500
Herron	(D)	6,048
Oldman	(R)	3,986
Taggart	(R)	4,057

31st District

WEDWORTH	(D)	28,589
Bremond	(D)	10,622
Cain	(D)	2,987
Cunningham	(D)	22,540
Mansfield	(D)	10,705
Siegel	(D)	7,187
Smith	(D)	8,105
Mann	(R)	15,427
Porter	(R)	9,483

33rd District

KENNICK	(D)	67,028
Sutton	(R)	31,114

35th District

WHETMORE	(R)	94,442
Lacayo	(D)	66,690
Neunuebel	(D)	26,698
Ewing	(A)	735

36th District*

Biddle	(R)	85,739
Presley	(D)	83,479

37th District

DEUKMEJIAN	(R)	62,137
DeBaun	(D)	62,266

39th District

SCHRADE	(R)	44,422
Taylor	(R)	20,294
Gillis	(D)	31,328
Leech	(D)	26,451

*Special Election

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Assembly

1st District

DAVIS	(D)	32,309
Roberts	(D)	16,667
Hord	(R)	16,216
Wilson	(R)	5,146

2nd District

Keene	(D)	34,212
Stuckey	(D)	10,748
Antolini	(R)	16,734
Johnson	(R)	7,066
Paschke	(R)	10,107
Solomon	(P)	458

3rd District

GREENE	(D)	48,637
Cook	(R)	10,803
MacLean	(R)	19,412

4th District

JOHNSON	(R)	32,497
Shaw	(D)	33,734

5th District

DUNLAP	(D)	35,155
Hillyard	(R)	18,439

6th District

CHAPPIE	(R)	29,792
Rowley	(R)	6,508
Kennedy	(D)	31,812
Noxon	(D)	13,508

7th District

BAGLEY	(R)	32,828
Gilmore	(R)	5,086
Weinmann	(R)	5,905
Franaszek	(D)	16,492
Moore	(D)	28,224
Webber	(P)	3,351

8th District

POWERS	(D)	30,206
Skoog	(D)	6,370
Clark	(R)	13,917

9th District

Z'BERG	(D)	35,004
Andresen	(R)	12,590

10th District

Boatwright	(D)	34,246
Randall	(D)	13,197
Thomas	(D)	7,484
Boggess	(R)	25,167
Dye	(R)	1,884
Lincoln	(R)	9,729
Marshall	(R)	5,234
Vail	(P)	133

11th District

KNOX	(D)	38,515
Cantu	(D)	8,740
Neal	(R)	24,926

12th District

MONAGAN	(R)	24,833
Nickerson	(D)	26,587

13th District

BEE	(D)	48,798
Webb	(D)	10,207
Olson	(R)	18,148
Stroh	(R)	9,336

14th District

CROWN	(D)	29,252

15th District

FONG	(D)	37,218
Pugh	(R)	13,069

16th District

MEADE	(D)	38,074
Balen	(R)	18,560

17th District

MILLER	(D)	33,519
Devlin	(R)	4,787
Karlson	(R)	2,199

18th District

BROWN	(D)	25,497
Irwin	(R)	7,711

19th District

MC CARTHY	(D)	29,064
Garriott	(R)	6,855
Wall	(R)	5,289

20th District

BURTON	(D)	19,148
Graf	(R)	5,688
Medina	(R)	1,464

21st District

DUFFY	(R)	20,035

22nd District

HAYDEN	(R)	50,695
Conn	(D)	10,863
Freier	(D)	23,242
Herhold	(D)	12,537

23rd District

FORAN	(D)	29,873
Seeba	(R)	11,925

24th District

VASCONCELLOS	(D)	43,256
Brescoll	(D)	11,519
Fargher	(R)	20,998
Kemmis	(R)	7,652

25th District

MC ALISTER	(D)	44,953
Zertuche	(D)	13,129
Browne	(R)	22,147
Whitney	(R)	8,692
Stearns	(P)	412

26th District

ARNETT	(R)	39,500
Labson	(D)	30,494
Cooney	(A)	119

27th District

Ferguson	(D)	7,891
Governale	(D)	12,244
Linn	(D)	5,370
Montoya	(D)	5,032
Papan	(D)	22,947
Andersen	(R)	6,166
Long	(R)	9,915
Morgan	(R)	8,406
Stack	(A)	147
Slocum	(P)	156

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28th District

STACEY	(R)	22,271
Gonzales	(D)	13,040
Gooch	(D)	7,933
Whittemore	(D)	12,953

29th District

Berrigan	(D)	6,310
Ryan	(D)	9,258
Williams	(D)	12,820
Heisey	(R)	9,146
Nimmo	(R)	11,025
Woods	(P)	144

30th District

Thurman	(D)	27,523
Simon	(R)	15,814

31st District

MURPHY	(R)	26,062
Faitz	(D)	15,667
Gilliam	(D)	11,942

32nd District

MADDY	(R)	16,961
Brown	(D)	19,349
Stefano	(D)	19,200
Wiemiller	(D)	4,197

33rd District

MOBLEY	(R)	22,034
Garrigus	(D)	27,926

34th District

WOOD	(R)	22,022
Valadez	(D)	15,582

35th District

BRIGGS	(R)	41,183
Shipkey	(D)	34,139

36th District

MAC GILLIVRAY	(R)	34,616
Hart	(D)	31,539
Palmer	(D)	17,213

37th District

MAC DONALD	(D)	46,435
Margolis	(D)	9,197
Conlan	(R)	42,775
Collins	(A)	443

*Special election

38th District

PORTER	(D)	21,085
Guillen	(D)	10,443
Ross	(D)	2,797
Kilpatrick	(R)	13,134

39th District

Chel	(D)	21,105
Gigliotti	(D)	10,523
Bond	(R)	12,571
Deats	(R)	11,325
Dilday	(R)	7,937
O'Leyne	(P)	223

40th District

GARCIA	(D)	9,558
Torres	(D)	8,943
Aguirre	(R)	6,167

41st District

KEYSOR	(D)	30,595
Fritzel	(D)	3,705
Starr	(D)	3,575
Arklin	(R)	19,365
Oaks	(R)	2,851

42nd District

MORETTI	(D)	32,219
Long	(D)	4,869
Carasso	(R)	7,553
Hayes	(R)	8,382
Blumenthal	(P)	230

43rd District

Thornton	(D)	20,446
Antonovich	(R)	19,987
Girard	(R)	15,877
Allred	(P)	162

44th District

CULLEN	(D)	39,045
Richardson	(R)	21,600

45th District

KARABIAN	(D)	30,880
Nolan	(R)	15,637

46th District

BEVERLY	(R)	42,862
Benedetto	(D)	16,926
Holloway	(D)	18,009
Stephens	(P)	276

47th District

LANTERMAN	(R)	34,949
French	(R)	4,359
Ridenour	(D)	17,448
Tweedy	(D)	6,782
Lyon	(A)	226

48th District

Abernathy	(D)	3,615
Alatorre	(D)	14,283
Boubion	(D)	2,281
Bunyan	(D)	3,011
Carter	(D)	347
Ochoa	(D)	2,946
Zanelli	(D)	7,595
King	(R)	9,575
Pierovich	(R)	4,478
Myers	(A)	177
Welte	(P)	372

49th District

Arri	(D)	11,697
Axelrod	(D)	26,223
Brownell	(R)	8,067
Haven	(R)	2,719
Head	(R)	9,091
Lancaster	(R)	20,696
Leos	(R)	748
Slattery	(R)	1,739

49th District*

Axelrod	(D)	36,832
Lancaster	(R)	53,854

50th District

Aames	(D)	1,608
Gibbons	(D)	3,668
Le Fever	(D)	7,334
McKechnie	(D)	5,400
Montoya	(D)	14,799
Palacio	(D)	2,757
Pierre	(D)	1,900
Torres	(D)	1,179
Wiener	(D)	485
Anderson	(R)	1,901
Miller	(R)	10,538
Morales	(R)	6,856
Taylor	(R)	1,318
Wartman	(R)	1,730

51st District

FENTON	(D)	33,586
Majowicz	(R)	14,398

52nd District

WAKEFIELD	(R)	14,114
Starr	(R)	2,041
Jackson	(D)	22,879

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53rd District

GREENE	(D)	19,773
Griffin	(D)	10,280
Lee	(D)	901

54th District

COLLIER	(R)	41,056
Regnier	(D)	18,612

55th District

RALPH	(D)	29,917

56th District

WARREN	(D)	28,697
King	(R)	11,953

57th District

CONRAD	(R)	34,471
Berman	(D)	24,878
Bernstein	(D)	1,894
Bluestein	(D)	3,057
Charles	(D)	6,678
Duberchin	(D)	2,505
Fitz-Randolph	(D)	3,811
Greenberg	(D)	1,918
Margolin	(D)	3,900
Stewart	(D)	463
Weiss	(D)	1,770
Winnikoff	(D)	673
Howard	(P)	416

58th District

JOHNSON	(D)	25,099
Jordan	(D)	6,847
Hahn	(R)	16,558

59th District

SIEROTY	(D)	48,910
Solliday	(R)	15,067
Takei	(P)	333

60th District

PRIOLO	(R)	34,808
Diamond	(D)	35,544
Sellers	(D)	6,490
Evans	(P)	510

61st District

WAXMAN	(D)	40,216
Allen	(D)	5,011
Bachleder	(D)	3,514
Gillette	(R)	13,600
Garris	(P)	279

62nd District

RUSSELL	(R)	31,065
Ashworth	(R)	3,763
Sutorius	(D)	28,989

63rd District

Burton	(D)	3,588
Dixon	(D)	14,456
Epps	(D)	3,251
Fitzgerald	(D)	4,514
Grant	(D)	6,316
Heap	(D)	613
Holden	(D)	6,627
Raikes	(D)	4,972
Smith	(D)	1,195
Mechtold	(R)	10,543
Burrell	(P)	102

64th District

CLINE	(R)	40,615
Gallagher	(D)	25,957
Rale	(D)	7,325
Ruben	(D)	11,586
Woods	(D)	5,086

65th District

PIERSON	(D)	15,814
Butler	(D)	3,084
Etheridge	(D)	1,441
Holoman	(D)	17,466
Johns	(D)	915
Knapp	(R)	8,463

66th District

GONSALVES	(D)	35,197
Underwood	(R)	19,294

67th District

TOWNSEND	(D)	32,333
Reis	(R)	14,671

68th District

THOMAS	(D)	22,435
Chenoweth	(D)	11,964
Boettcher	(R)	13,461

69th District

CORY	(D)	43,583
Dannemeyer	(R)	21,381
Sartin	(R)	14,155
Swenson	(A)	368

70th District

BURKE	(R)	48,944
Jesilow	(R)	8,882
Moshenko	(D)	49,935

71st District

BADHAM	(R)	74,922
Cunard	(D)	18,809
Thorpe	(D)	24,281

72nd District

QUIMBY	(D)	23,690
Lippitt	(D)	19,756

73rd District

LEWIS	(R)	32,188
Lowe	(R)	6,459
Kearney	(D)	22,475
Lowry	(D)	13,298

74th District

Cole	(D)	12,932
Ingalls	(D)	36,171
Holmes	(R)	10,019
Hunter	(R)	17,981
Jameson	(R)	5,446
Pick	(R)	8,362
Wood	(P)	192

75th District

SEELEY	(R)	22,399
Perez	(D)	9,991
Singh	(D)	16,842

76th District

WILSON	(D)	45,534
Lutz	(D)	6,843
Del Principe	(R)	19,898
Gimbrone	(R)	9,643
Heise	(R)	15,141
Hollaway	(A)	337

77th District

DEDDEH	(D)	34,179
Castro	(D)	6,006
Canedo	(R)	13,093
Green	(R)	12,240

78th District

BARNES	(R)	31,149
Kapiloff	(D)	25,916

79th District

CHACON	(D)	19,627
Blevins	(D)	8,506
Persley	(D)	2,223
Green	(R)	11,307

80th District

STULL	(R)	56,878
Palcic	(R)	3,493
Winchester	(R)	4,374
Garvin	(D)	20,337
Polesetsky	(D)	18,400

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against which property taxes shall be levied. Although the statewide average for locally assessed property in 1971 was 24.2 percent, the goal remains a uniform 25.

Over the years, however, the assessment ratio for utility property had been allowed to go much higher, reaching 50 percent in 1958. The utility companies naturally protested that this was highly discriminatory and probably unconstitutional, and the Legislature and the board eventually agreed. In 1959 the board began to reduce the assessment ratio for utilities, but very gradually so as to minimize the impact on counties in which utility property constituted a substantial portion of the tax base. By 1969 the ratio was down to 33 percent, and by 1971 it was at 29 percent. This year the board agreed to go to 27 percent. The utility companies have regularly pressed for a more rapid adjustment, but the board has been forced to consider the plight of several smaller mountain counties with old facilities which have actually lost value, by this measure, from year to year.

Tax Savings

The combined effect of a declining assessment ratio applied against valuations which are below reproduction cost less depreciation has resulted in important tax savings for the utilities as compared with what they would be paying otherwise. It is clear from the board's own figures on the growth of assessed valuation of public utilities, as compared with the growth of assessed valuation of all other property, that the utilities have enjoyed very substantial property tax savings over the past ten years (see Table 2).

The combined effect can have a substantial impact on individual counties. For example, the Contra Costa County Administrator reported in a recent letter to Bennett that between 1962 and 1971 the assessed valuation of utility properties in his county declined from $184 million to $171 million, a reduction of about seven percent, while the valuation of locally assessed properties went up by 113 percent. During this same period the county's population increased by 36 percent, and the gas, electric and telephone utilities expanded their facilities accordingly.

Presumably the tax savings to the utilities have been taken into account by the Public Utilities Commission in setting utility rates. If so, this means that some portion of the savings have been passed on to utility users — business, industry, and homeowners — in the form of rates which are lower than they would be otherwise. Bennett argues, however, that the utilities, while quick to try to pass on higher costs are slow to pass on savings because their rate base is not examined every year by the PUC, and because the PUC, in Bennett's opinion, has been generous to the utilities in allowing rate increases. Thus, he says, the utilities have profited substantially in recent years from property tax savings.

Bennett received some support for his position from the Office of the Auditor General which undertook a study of utility assessment practices by the State Board of Equalization in 1971 at the request of the Assembly Education Committee. The Auditor General's report demonstrated the fact that the assessed valuation of the utilities is not keeping pace with that of other property and that the utilities are enjoying significant tax savings as a consequence — including savings in school taxes. The report also noted that the manner in which the board allocates utility property back to the counties and school districts for the actual levying of taxes can further distort the county and district tax bases. The Board of Equalization responded by charging that the Auditor General's report was itself distorted by misleading and erroneous statements which appeared, falsely, to suggest that the board is using improper procedures in utility assessment.

Table 2: MARKET VALUE, ASSESSED VALUE, AND PROPERTY TAXES OF PUBLIC UTILITIES COMPARED WITH ALL OTHER PROPERTY (In millions)

Fiscal Year	Market Value		Assessed Value		Property Taxes	
	Utilities	Other Prop.	Utilities	Other Prop.	Utilities	Other Prop.
1962-63	$ 9,754	$122,356	$4,206	$29,121	$317	$2,289
1963-64	10,428	132,977	4,348	30,718	336	2,469
1964-65	11,030	146,159	4,442	32,301	357	2,700
1965-66	11,657	160,245	4,531	34,933	379	2,990
1966-67	12,373	171,468	4,628	37,894	400	3,360
1967-68	12,973	178,986	4,662	41,525	406	3,705
1968-69	13,659	191,068	4,708	43,946	433	4,137
1969-70	14,452	204,364	4,703	47,413	456	4,479
1970-71	15,136	219,574	4,640	50,941	492	5,224
1971-72	15,615	224,347	4,493	54,292	-	-

Source: Auditor General and State Board of Equalization

Those who strongly oppose the notion that utilities should be valued higher than they are say the result would simply be an increase in utility rates, because the PUC would be forced to permit the utilities to pass any tax increases along to consumers. The higher taxes would in effect be paid by consumers, not by the utilities out of their earnings. Bennett and the county officials who agree with him are unimpressed by this argument, however. A tax agency must levy taxes as fairly as possible, regardless of the secondary impact, they contend. It does not have authority to use taxes for purposes other than to raise revenue and would be hamstrung if it were obliged to consider every secondary effect. Although Bennett, in his role as a consumer advocate, has often argued that utility rates are too high, he readily accepts the fact that higher utility taxes will mean higher utility rates.

To others, notably some economists and environmentalists, this also makes sense because they feel that utility rates are now held artificially low, stimulating greater use of those utilities than would occur under another tax-price policy. Environmentalists, who are just beginning to understand the ramifications of taxation and pricing in relation to industry and the consumer market, may be expected to be particularly interested in Bennett's line of reasoning.

This is not to say, however that Bennett has many allies at this point. The great majority of experts in utility valuation and taxation seem to agree with the board's present method of determining market value. Although they acknowledge the usefulness of reproduction cost new less depreciation in estimating market value generally, they agree with the board's staff that it cannot be used in valuing utilities whose rates are set on the basis of their return on historical cost depreciated.

Nevertheless, Bennett is convinced that he is right. He has been in a minority position before and has found himself vindicated in time. So he intends to continue his fight to get the board to change its policy, and he is likely to attract support from local officials, environmentalists, and others who also believe that the utilities may not be paying their fair share of property taxes.

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Little Hoover Commission Continues to Look for Ways to Cut State Costs, Increase Efficiency

Its official name is the Commission on California State Government Organization and Economy, but, for reasons of verbal economy, it is better known as the "Little Hoover Commission". It functions, according to L. H. Halcomb, the commission's executive officer and one-man professional staff, as "a burr under the saddle of the bureaucracy", a permanent, independent body to promote economy, efficiency and better service among the various agencies, departments, offices, and boards which make up the executive branch of state government. It has accounted, says its new chairman, Manning J. Post, for more than $30 million in savings to the taxpayers of California in the past ten years.

Created In 1961

The idea for establishing such a commission is credited to Senator (then Assemblyman) Milton Marks, who suggested to Governor Edmund G. Brown in 1961 that California needed an independent body of citizens and legislators to recommend ways in which the executive branch should be reorganized to operate more effectively and at less cost to the taxpayers. As the commission's unofficial title suggests, what Marks proposed was a California version of the federal commission established nearly a decade earlier during the Eisenhower administration under the direction of former President Herbert Hoover. The objective of the original Hoover Commission was the complete overhaul of the executive branch by private citizens familiar with the principles of business organization and management. The objectives of California's Little Hoover Commission have always been less ambitious, but (perhaps for that reason) unlike its federal predecessor, it has become a seemingly permanent fixture of state government which no Governor or Legislature can easily remove.

The first members of the Little Hoover Commission were appointed in 1962 and included State Senators George Miller Jr. and Vernon L. Sturgeon, Assemblymen Milton Marks (who authored the legislation creating the commission) and John T. Knox, and seven private citizens, five of whom were appointed by Governor Brown and one each by the Speaker of the Assembly and the Senate Rules Committee. The first chairman was Eugene C. Lee, professor of government at the University of California at Berkeley. Two persons associated with that original commission remain: commissioner Post, and executive secretary Les Halcomb.

Originally composed of eleven members, the commission was expanded to thirteen members in 1966, while retaining the restriction that no more than a simple majority of the commissioners may be registered with the same political party. Also in 1966 the commission was given authority to elect its own chairman and vice-chairman, a power previously reserved to the Governor. This change helps to explain the fact that the newly elected chairman is not only a Democrat but the man who has served as a principal Democratic fund-raiser in several campaigns — including former Assembly Speaker Jess Unruh's 1970 campaign against Governor Reagan.

Commission Studies

From the start, the commission has conducted most of its studies in areas which are away from the center of current controversy. Many of the ideas for its studies and investigations have originated with individual commission members who have become concerned with matters of state operation, such as the management of state vehicles, the organization of administrative services, and the acquisition and disposition of state lands, as a consequence of their backgrounds as automobile agency owners, corporate executives, realtors, and so forth. It is also true, however, that an occasional study may originate with the Governor's Office, a state agency, or the Legislature, although the commission likes to think that it has complete autonomy in choosing the areas it agrees to investigate.

According to Post, it is this autonomy and the bipartisan composition of the commission which, joined with the diverse backgrounds of the members, gives it the freedom and flexibility to carry out its studies without outside interference. Post himself has guided several of these studies, which usually are conducted by specially appointed subcommittees made up of two or three members who have some special expertise in the field, plus one or two others. Post originated and led one of the commission's first studies in 1962-63, that dealing with the purchase, management and disposition of the state's automobile fleet. During the course of this study the commission found that responsibility for the control and maintenance of the state's 12,000 automobiles (and 8,000 other vehicles) was scattered among some 42 separate departments and agencies, and that in purchasing new vehicles the state was following a policy established during World War II when new vehicles were extremely scarce. Among the commission's recommendations were the consolidation of fleet management under a single agency, annual or at least triennial replacement of its automobiles, and greater compliance with state specifications regarding predelivery dealer services.

Although the commission had initiated this study independently, it was by no means the first to examine

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the subject. The Legislative Analyst had made recommendations on replacement policy in a report published in 1952, as did the Deputy State Controller and the Board of Equalization. A private consulting firm had reviewed automotive management practices in the Department of Public Works in 1955, and the Department of Finance had issued reports on improving state fleet management policies in 1952, 1953 and 1955. Nevertheless, the commission's recommandations were carefully evaluated by the state, and although several, including the annual replacement policy, were rejected, the commission's report did give impetus to a move toward centralizing the automobile pool which has made it possible for the state to get more use out of its vehicles with fewer additions to the pool.

Post also played a major role in a related commission study regarding the purchase of highway patrol vehicles. At the time, state specifications limited purchases to a single manufacturer. On the commission's recommendation, the specifications were revised, with the result that the state received seven different bids on its next purchase contract and saved approximately $500 per vehicle on the low bid. According to Les Halcomb, the state has saved over $2 million to date as a result of this action.

Commission Funding

To undertake studies such as these the commission receives an annual budget of about $50,000 to cover the cost of reimbursing commissioners for their actual costs in carrying out the studies and to pay the salaries of Halcomb and a single secretary. Until this year, the commission, which occasionally borrows staff from other agencies to help in its work, has not been required to pay for such services. This year, however, Legislative Analyst A. Alan Post recommended that the commission begin to do so in the interest of a more accurate reporting of costs. Assembly Democrats on the Ways and Means Committee, who, for entirely different reasons, found it desirable to take staffing funds away from the Lieutenant Governor (see budget story, page 146), accepted Post's recommendation and transferred $101,674 from the Lt. Governor's Office to the commission.

Although Halcomb and a majority of the commission are opposed to an expansion of the commission's permanent staff, they are happy at the prospect of getting money to pay for temporary staff. Thus Post found it worthwhile to fly to Sacramento on May 27th to talk with Senate Finance Chairman Randolph Collier to attempt to get Collier to go along with the Assembly action in the two-house conference on the budget bill. Unfortunately for the commission, Senator Collier is not one of its best friends, having co-authored legislation in 1971 to abolish the commission, apparently as a consequence of its earlier studies of the highway commission, freeway right-of-way acquisition and transportation policies generally, a field in which Senator Collier has long been a leading figure.

Highway Study

In a letter to the Governor and Legislature issued in December 1966, the commission stated that although the structure of the Highway Commission and Highway Division had helped to produce an excellent freeway system, the time had come for a major reorganization "if we are to be assured that the state government will continue to meet the highway and transportation needs of the future. The commission believes that an organization should be provided that is more responsive to the highway needs of all the people and which gives better-balanced considerations to other phases of the State's transportation problems." The Little Hoover Commission went on to recommend that the head of the Transportation Agency no longer serve on the Highway Commission, that the Highway Commission be authorized to employ its own staff to review highway division proposals and recommendations, that the Department of Public Works be given responsibility for all staff functions performed for it by the highway division, with the State Highway Engineer to be responsible to the Director of Public Works, that the Legislature review the annual budget for highway maintenance and administration, and, finally, that

Members of the Little Hoover Commission

There are 13 members of the Commission on California State Government Organization and Economy, of whom nine are appointed by the Governor, four by the Speaker of the Assembly, and four by the Senate Rules Committee. The eight legislative appointments include two Assemblymen and two Senators. No more than seven members may be of the same party; the commission is now made up of six Republicans and seven Democrats, two of whom were appointed by Governor Reagan.

Manning J. Post. A charter member of the commission and now chairman, Post was first appointed in 1962 by Assembly Speaker Jess Unruh and served continuously until May 1969. He was reappointed by Speaker Moretti in January 1971. His business interests include ownership of Europa Motors of North Hollywood, and he is chairman of the Los Angeles County Real Estate Commission, as well as a leading Democratic Party money-raiser.

H. Herbert Jackson. Former commission chairman and now vice-chairman, Jackson is an attorney and partner in the law firm of Evans, Jackson, and Kennedy in Sacramento. A Republican, he was appointed to the commission by Governor Reagan in February 1968.

Harold Furst. Furst is regional vice-president of the Bank of America with headquarters in Alameda County. A Democrat who lives in Kensington, he was first appointed to the commission by Governor Brown in 1963, served as chairman from May 1964 to May 1967, left the commission briefly and was reappointed in February 1968 by the Senate Rules Committee.

James E. Kenney. Regional vice-president of Pacific Telephone and Telegraph Co. with headquarters in Los Angeles. Kenney, a Democrat, was appointed in March 1967 by Governor Reagan.

Howard A. Busby. Busby was appointed to the commission in July 1967 by Governor Reagan. A Republican from San Diego, he is a CPA and owner of Hackett Lighting and Ceiling Co.

Nathan Shappell. Chairman of the board of Shappell Industries, a construction firm, Shappell is a Democrat from Beverly Hills. He was appointed by the Senate Rules Committee in September 1968.

Walter H. Lohman. Lohman was first appointed to the commission by then Speaker of the Assembly Bob Monagan in May 1969 and served until January 1971. He was reappointed by Governor Reagan in March 1971. A Republican, he is a senior partner in the accounting and management consulting firm of Arthur B. Young and Co.

Andrew L. Leavitt. Owner of Lancer Realty Company, Inc. of San Mateo and a Democrat, Leavitt was appointed by Governor Reagan in September 1969.

Harold C. Henry. Henry, a Republican, is owner of a large automobile auction facility. He was appointed by Assembly Speaker Bob Moretti in April 1971.

Senator Alfred E. Alquist, Democrat.

Senator Milton Marks, Republican.

Assemblyman Jack R. Fenton, Democrat.

Assemblyman Ernest N. Mobley, Republican.

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the Legislature create a Transportation Commission to advise the Governor and the Legislature on all aspects of transportation policy.

More recently, in 1971, the Little Hoover Commission received some publicity for its criticisms of the Highway Commission's failure to either use or dispose of $100 million worth of highway rights-of-way purchased by the state over the years. Neither its earlier criticisms and recommendations nor this latest report endeared the commission to Senator Collier and others who are strong supporters of the Highway Commission and the state's highway construction program. Thus it seems doubtful that the Little Hoover Commission will receive the additional funds it now seeks as long as Senator Collier holds the purse strings.

Reports Issued by the Commission on California State Government Organization and Economy

1. Findings and Recommendations Concerning Reorganization of the Executive Branch of California State Government. December 1962. (Out of print)
2. Findings and Recommendations Concerning Organization for Central Staff Services. March 1963.
3. Findings and Recommendations Concerning Automotive Fleet Management. June 1963.
4. Proposals Relating to Inheritance Tax Administration. December 1964. (Letter)
5. Need for Revenue Unification. December 1964. (Letter)
6. Management Manpower Requirements. February 1965.
7. The Use of Boards and Commissions in the Resources Agency. April 1965.
8. Engineering Costs in the Division of Highways, April 1965. (Letter)
9. Program Budgeting. February 1966. (Letter)
10. Statement of the Commission's 1967 Legislative Interests. December 1966.
11. The California State Highway Commission and Its Relationship to the State Transportation Agency, the Department of Public Works, and Division of Highways. December 1966. (Letter)
12. An Examination of the Department of Professional and Vocational Standards. September 1967.
13. Report on California Statutory Salaries of the Executive Branch of Government. December 1968.
14. A Study of the Department of Industrial Relations. December 1969.
15. A Study of the Need for a Materials Management System. May 1970.
16. A Pilot Study of California State Employee Workman's Compensation and Other Work-Related Disability Benefits. May 1970.
17. Report on Local California Fairs Receiving State Financial Support. May 1971.
18. Preliminary Findings of Subcommittee on California Division of Highways Excess Right of Way. January 1972.
19. Study of Salaries of Exempt Executive and Administrative Positions in California State Government. January 1971.

The commission, which has been remarkably immune to attack over the years, gained several additional enemies, including Assemblywoman Pauline Davis, when it agreed in 1970 to take on a study of state subventions for district fairs. When the commission recommended that state support for such fairs be cut back, it found itself involved in a "motherhood issue" from which there was no easy retreat. Assemblywoman Davis, who felt strongly that fairs in her district should continue to receive state support, introduced a bill, AB 86, co-authored by Senator Collier, to repeal those provisions of the Government Code establishing the commission. AB 86 died in the Assembly Committee on Governmental Organization to which it was assigned, however, and Mrs. Davis has not introduced similar legislation this year.

Much of the commission's strength lies in its unusual composition of private citizens and legislators and its bipartisan balance. The legislative members often serve as authors of commission-backed legislation and give the commission unusual access to other legislators as well. "We can follow through on recommendations year after year," says Halcomb, who believes that the commission has a unique ability to lobby for its proposals. Halcomb estimates that the state is now saving between $500,000 and $1 million each year as a consequence of having implemented many of the commission's recommendations over the past ten years.

According to one member, however, the Reagan administration has attempted to downgrade the commission, first when Caspar W. Weinberger, later Director of Finance, served as chairman and allowed the commission to lapse into something very close to inactivity, and later when Governor Reagan paid little attention to the persons selected to serve on the commission. Two persons whom Reagan was to appoint had to be withdrawn because of obvious conflicts of interest, and at least two of those who were appointed have financial interests which are directly dependent in some part on state business.

In addition, it is often difficult to distinguish the commission's role from that of the Legislative Analyst, the Auditor General, the Audits Division of the Department of Finance, the Assembly Committee on Efficiency and Cost Control, and the several "select" committees established by the Legislature to investigate specific problems. In many cases the Little Hoover Commission finds itself going over the same ground as these other agencies, and occasionally it finds its work largely ignored by subsequent investigations of matters which it has already studied.

A recent case in point concerns the commission's study of the Department of Industrial Relations, which was completed in December 1969. The commission examined every function of the department, with particular attention to the compilation of employment statistics, the administration of workman's compensation insurance, and the organizational structure of the department. More recently, in late 1971 and early 1972, the Assembly Select Committee on Industrial Safety went over some of the same ground as an outgrowth of its investigation of the Sylmar Tunnel disaster (see *California Journal*, February 1972, p. 43) and its efforts to improve enforcement of labor safety laws. According to the staff, however, the committee did not even look at the 1969 Little Hoover Commission study because "the commission never made any in-depth recommendations."

Despite such criticisms, the commission intends to go on with its work, pursuing those topics which interest its members, with whatever resources are put at its disposal. Manning Post believes it has made a substantial contribution in the past and can continue to do so if it has the resources and the membership which will permit it to go beneath the surface in areas which have been overlooked by other agencies. Among the subjects which Post hopes to see the commission investigate during the next year are the University of California's extensive land holdings and the legal requirement that brand names rather than generic names must be used for prescriptions paid for under the Medi-Cal program. There will be no shortage of work for the commission, he suggests, as long as there is state government.

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LETTER FROM WASHINGTON
By Lou Cannon

May 30, 1972

Humphrey's Last Hurrah?

LOS ANGELES — He had spoken out on every issue of his day, sometimes eloquently and always at great length, and he came to the end of it all in California where his last political tide ran out on him. "They delivered us a candidate who was half-dead and half-broke," said Gene Wyman, his chief money raiser, and it is fair to say that Hubert Humphrey would have been more than half-broke had it not been for Wyman's prodigous efforts in earlier primaries. Wyman is not, to put it mildly, the best-loved man in California politics, but he cares deeply about Hubert Humphrey and he did his best for him here against a campaign that was better financed and better conceived from the beginning.

It was sad, in a way, for those of us who remember the Humphrey walkout from the 1948 Democratic convention as the first significant political impression of our lives. We had come to love even Humphrey's vices ("the trouble with politicians is that they don't understand the theological distinction between immortality and eternity," said Humphrey in a speech in the early fifties which went on for another hour) and to expect him to be outspent by his opponent and outmaneuvered by his opponent's staff and by his own. John Kennedy had spent him out of West Virginia in 1960, and Lyndon Johnson had taken Humphrey down with his sinking ship in 1968, and Humphrey knew that this was his last effort. "It's like having a weight off your back, campaigning on your own record," Humphrey told me during the Indiana primary. "I'm on my own now, and 1968 is the past. I think that's why I have so much vitality this time."

He has always had vitality, but he was not done with 1968. Humphrey once talked easily with reporters (only Richard Nixon knew as much, only the Kennedys were more adept at personal relationships), but he lost this in 1968 when he could no longer reconcile his loyalty to Lyndon Johnson with the reality of the Vietnam War and wound up being betrayed by both his leader and events. Now, in the 1972 primaries, Humphrey was half-hidden by his staff, feeding occasionally on conspiracy theories about the press (this press that had been wildly wrong on Muskie, and made up to McGovern later what it had denied him at the beginning), and trying to recapture the mood of a country he once had understood. He made it hard on the press this time and much harder on himself, and when he started to slip he slipped badly. The McGovern campaign ran on like some clockwork Nixon (the exuberant advancing, the big crowds, the background data, the chats with Frank Mankiewicz, and the volunteers — above all, the volunteers) while Humphrey spoke himself into exhaustion. He had come to California tired, as Wyman had said, he ran around Disneyland when he should have been resting for debates, he lost time because of airline delays, and he suffered through an advancing and scheduling operation that a reporter given to conspiracy theories might have thought captured by the McGovern campaign.

The contrast made it all the more painful. George McGovern, ice-cool and confident, would walk through his campaign plane, chatting with reporters at each seat, answering the tough questions with generalities and a good nature that seemed somehow reminiscent of Ronald Reagan. McGovern is a good tough pol, and always has been, and he deserves much of the good fortune that has come his way. But he was made to look even better than he was by the Hubert Humphrey campaign.

In the end, the campaign came down to Humphrey himself, down to a man who has been in public life so long that he has almost of necessity taken different sides on the great political questions, down to a candidate who has no quit inside of him and who is truly engaged, as he said, in a "love affair with America." It was not enough. This man, who had said he would not attack another Democrat, came to California attacking George McGovern because, as he told us, "our surveys showed that people didn't know what McGovern stood for." When Humphrey was asked whether his attacks would help the Republicans in the fall campaign, he answered honestly: "It is a risk and one that weighs heavily on me."

At times Humphrey used strong words ("I'm not going to be seeking . . . the presidency at the expense of this nation's security, and I'm not going to go out and buy votes at the expense of America becoming a second-rate power") but they were strong in the excess of hyperbole rather than in the intent or effectiveness of smear. The language, in fact, was ineffective, almost as if McGovern and the California electorate were attuned to the mental reservations. "No matter how hard I try, I find it very difficult to get mad at Hubert," said McGovern, who was doubtless tempted to make the effort but kept his cool instead. McGovern, like the rest of us, knows that Humphrey, for all his faults, is a good man, and this knowledge helped McGovern to reply in a way that served his own cause. The McGovern cause also was helped by Humphrey's approach to issues, which raised the ancient banners of jobs and human security but never touched the California concern (which embraces many issues) about the vaguely diminishing quality of life.

This characteristic Humphrey combination of goodness and insensitivity to what is going on around him is captured in many passages of Albert Eisele's new dual biography of Humphrey and Gene McCarthy, *Almost To The Presidency*. " . . . While Humphrey is the symbol of the American dream to many of those who have not yet realized it, his obsession with seeing

(Continued on page 163)

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Recent Supreme Court Decisions

During the month of May the California Supreme Court announced a series of decisions of more than routine interest. Although the court has been unanimous in a large percentage of its decisions over the past year, it split 5-2 in two significant decisions regarding police powers and in one concerning environmental pollution.

Public Agencies Liable For Nuisance Damage

In a 5-2 decision announced on April 28th, the Supreme Court ruled that property owners may sue for damages for the nuisance of noise, fumes, and vibrations caused by aircraft using city-operated airports. The court's decision was based upon reasoning that the Legislature did not intend to protect governments from nuisance liability when it passed the California Tort Claims Act of 1963. Two justices, Louis H. Burke and Marshall McComb, dissented, stating that the act "quite clearly immunizes governmental agencies from liability for nuisance, except insofar as such nuisance may be actionable under specific provisions of the Act itself."

The case came to the court on appeal by 37 persons in a class action suing the City of Santa Monica for property and personal damages resulting from vibrations, fumes and noise caused by jet aircraft using the Santa Monica Airport.

Following announcement of the decision, Los Angeles City Attorney Roger Arnebergh told the Los Angeles City Council that the Los Angeles International Airport should be shut down unless some way can be found to protect the city against claims, which could total as high as $10 billion. On May 4th the council voted to seek state legislation which would give cities immunity from nuisance damage claims or otherwise protect Los Angeles and other cities from such claims. "I'm optimistic that we will obtain some form of remedial legislation," said Arnebergh, "because I'm certain once the legislators are aware of the grave crises confronting governmental entities, they will expeditiously take the appropriate action."

Residence Rule for Voting Lowered to 30 Days

Voting residence requirements have been reduced to a uniform 30 days residence in the precinct, county and state by a decision of the Supreme Court announced on May 4th. Voters must be allowed to register through the 30th day before an election. The court's unanimous decision, written by Justice Stanley Mosk, followed closely a U.S. Supreme Court decision striking down Tennessee residency requirements of one year in the state and 90 days in the precinct. California's former requirements, in effect through the June primary, were 90 days residency in the county and 54 days in the precinct, and voter registration rolls closed 53 days before an election.

The California ruling, referring to the U.S. Supreme Court decision, stated that residency requirements of more than 30 days served no purpose of sufficient importance to override the fundamental right to vote. County clerks are directed to continue to prepare lists of registered voters for the Secretary of State and the political parties, and to distribute sample ballots and ballot argument booklets, as in the past, but are relieved of the obligation if they can not do so within the 29-day period before an election.

Several county clerks have indicated that they do not expect the new ruling to cause them serious trouble. However, Los Angeles County Register-Recorder James S. Allison told reporters that it will cause major problems in Los Angeles County, which has had trouble completing its registration work within the old 54-day period. He warned that the technical problems involved in the new 30-day registration cut-off may endanger safeguards against double voting.

The decision may significantly benefit the Democratic Party since it extends the general election registration period, which formerly ended in mid-September, into October, thus providing a greater opportunity to register college students and to use their manpower to assist in registering other Democrats.

Reapportionment Extension Granted

In its decision in January on reapportionment of the Legislature and Congress (see *California Journal*, January 1972, p. 7), the Supreme Court stated "We retain jurisdiction to draft new reapportionment plans for the elections of 1974 through 1980 in the event that the Legislature does not enact valid legislative and congressional reapportionment statutes by the close of its 1972 regular session." On May 10th, however, acting in response to a request from the state Senate, it agreed to modify its stand to permit the Legislature to act either in its regular session or in a special session as long as it does so by the end of 1972.

The Senate's request was made in late April, by which time a majority of Senators concluded that it would be impossible to complete reapportionment prior to the end of June, when they hope to end the 1972 regular session. The choice, they told the court, was either to extend the regular session beyond the November election, which would mean that most bills enacted at this session would not go into effect until 1973, or to hold a special reapportionment session following the November general election. The Senators strongly favored the second plan, and the court agreed.

Court Clarifies Limits On Police Searches

In two split-vote decisions filed on May 19th, the court ruled that police may make "pat-down" searches of traffic violators only when there are reasonable

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grounds to believe the person has a concealed weapon, and may not take personal property from an automobile or search it at a police station without a search warrant.

In the first case, a motorist was found to possess marijuana by an officer who searched the motorist after stopping him for a traffic violation. The officer admitted that he had no indication of anything other than a traffic violation when he made the search. The trial court ruled that the marijuana had been discovered by an illegal search, and the Supreme Court upheld that decision in reviewing an appeal by the Attorney General. To decide otherwise, said the court, would be to allow routine searches which would "constitute an intolerable and unreasonable invasion into the privacy of the vast majority of peaceable citizens who travel by automobile." The majority decision was written by Justice Stanley Mosk and signed by Justices Peters, Tobriner and Sullivan. Chief Justice Wright wrote a separate concurring opinion, in which Justices Burke and McComb concurred but with a dissent to a portion of the majority opinion.

In the second case, a motorist who was found sleeping in his car was taken to a police station where his overcoat, which the police had taken from the car against his wishes, was found to contain marijuana. The defendant, Robert Miller, was convicted of marijuana possession but appealed on the grounds that the search was illegal. The Supreme Court agreed in a 5-2 decision written by Justice Tobriner.

DA's Agreement Unneeded For Court Decision

That portion of the state's drug rehabilitation law which in certain cases requires the consent of the district attorney and the defendant before a judge may commit an addict to a rehabilitation center violates the separation of powers concept, according to a 6-0 decision of the Supreme Court announced on May 23rd. The case at hand concerned Henry Macias Navarro, who was found guilty of selling heroin on top of a prior conviction for assault with a deadly weapon for which he had been sent to the California Youth Authority. Navarro had received an honorable discharge from the Youth Authority, but the district attorney would not agree with the judge to sending him to a rehabilitation center for the heroin conviction, rather than to state prison. The district attorney argued that his consent was required by state law because of Navarro's prior felony conviction.

The Supreme Court, in stating its decision, noted that in several recent cases it had struck down statutes which similarly required the consent of the district attorney before a judge could exercise his judicial authority. The court argued that the imposition of sentence is basically a judicial function and that the Legislature may not give a district attorney veto power over the courts.

CALIFORNIA CALENDAR

Meetings of the following state boards and commissions are listed each month; if one of these boards is not listed, it can be assumed that it is not scheduled to meet this month. Boards and commissions to be included are: Board of Corrections; Trustees of the California State University and Colleges; California Community Colleges Board of Governors; California Council on Criminal Justice; Coordinating Council for Higher Education; Board of Education; Highway Commission; Little Hoover Commission; Commission of Housing and Community Development; Park and Recreation Commission; University of California Board of Regents; and Social Welfare Board.

June 8-9	**State Board of Education.** 455 Golden Gate Avenue, San Francisco. 9 a.m.
June 15-16	**University of California Board of Regents.** 1100 S. Grand Avenue, Los Angeles. 9 a.m.
June 21	**Commission of Housing & Community Development.** 1121 O Street, Sacramento. 1:30 p.m.
June 21-22	**California Community Colleges Board of Governors.** San Francisco Airport Marina Hotel. 9 a.m. **Highway Commission.** Public Works Building, 1120 N Street, Sacramento. 6/21 — 10 a.m.; 6/22 — 9 a.m.
June 22	**California Council on Criminal Justice.** Host of Sacramento Airport Hotel. 9 a.m.
June 22-23	**Social Welfare Board.** Long Beach. 6/22 — 7:30 p.m.; 6/23 — 9 a.m.
June 27	**State University & Colleges Board of Trustees.** Interim meeting concerning auditing, organization and rules. Long Beach.

HUMPHREY *(Continued from page 161)*

that the nation shares her bounty with all her citizens has also been one of his greatest weaknesses," Eisele writes. "He was too absorbed in the visions of the Great Society and in his own unfulfilled yearning for the presidency to recognize that the Vietnam War was a great moral evil that could destroy everything he dreamed of." What destroyed him even more, perhaps, was Humphrey's final inability to translate that unfulfilled yearning into an effective presidential campaign. His staff weaknesses arose from human failures that bore directly on the question of how Hubert Humphrey would perform as President, and he paid for them in California as he had paid for them in other states and other elections before.

This has been a personal reflection on Hubert Humphrey, not an endorsement nor a condemnation of the man. It is written seven days before the election and makes no claim to a gift of prophecy. It is the opinion of a reporter who has covered Humphrey (with fairness, we hope) in five other 1968 primaries and who has come to see the California primary as the end of Humphrey's political opportunity. We have thought that before about Richard Nixon and Alan Cranston and Jess Unruh, and we were wrong then or are likely to be. But still it seems like the Humphrey last hurrah, and we are the lesser for it. There is a decency to Hubert Humphrey that is better than what happened to him in California and that in the sweep of political history will survive the way he campaigned here.

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California Journal/*NEWSBRIEFS*

New Education Alliance To Fight for School Funds

Following what State School Superintendent Wilson Riles called a "Crisis Summit Conference on School Finance" on May 22nd, it was announced that 13 of the state's major education associations had joined to form the Education Conference of California to fight for a massive increase in state support for the public schools. Among the organizations which have formed the new body are the Association of California School Administrators, the California Teachers Association, the California School Boards Association, the California Federation of Teachers, the California Congress of Parents and Teachers, the United Teachers of Los Angeles, and the League of Women Voters. Mrs. Jane Fiala, lobbyist for the California Congress of Parents and Teachers, was elected president of the group.

Earlier in the month, Riles joined with Senator Stephen P. Teale and Assemblymen Dixon Arnett and William Bagley to announce the introduction of a major school finance plan, endorsed by the State Board of Education and to be carried in AB 1283 (Arnett) and SB 1171 (Teale), to provide $740 million in additional general aid for the schools, plus $250 million for compensatory education. AB 1283 was approved by a subcommittee of the Assembly Education Committee in mid-May, but then on May 27th, in a move which was apparently worked out behind closed doors, the bill was substantially amended. The new provisions drop the statewide property tax and substitute a different plan for redistributing property tax revenues over a five-year period. The amended bill, now labeled a "committee bill" provides an additional $550 million in state support in 1972-73, going up to $1.3 billion in two years.

In the meantime. forty-eight Assemblymen, led by Assemblymen Joe Gonsalves and Paul Priolo, have formed a group called Legislators for Educational Assistance Right Now (LEARN) to push for "immediate and adequate public school finance in this year's budget." LEARN's goal. according to Gonsalves and Priolo, is to see that the 1972-73 budget includes at least $270 million in new school aid.

Senate Again Rejects Strong Coastline Bill

"Land management basically is the responsibility of local government," Senator George N. Zenovich told reporters in explaining his deciding vote against SB 100 (Grunsky), this session's strongest coastline protection bill. "Whether we like it or not, this measure completely changes that whole aspect," Zenovich said. His vote ended several weeks of suspense during which all other members of the Senate Committee on Natural Resources and Wildlife had announced their position. As the final roll call vote confirmed, the committee was divided 4-4, with Senators Behr, Gregorio, Lagomarsino, and Nejedly for the bill and Senators Carpenter, Dills, Wedworth, and Richardson against it (although Richardson did not participate in the final vote), until Zenovich, who was appointed to the committee in January, joined the opposition.

According to newspaper reports, lobbyists Robert Hanna of the California State Council of Carpenters and Richard Mansfield of the Building and Construction Trades Council took a large share of the credit for killing SB 100. The bill, which closely resembled measures defeated in 1971 and 1972, was supported by the California Coastal Alliance, a confederation of environmentalists groups. Although a companion measure, AB 200 (Sieroty) remained alive in the Assembly, it was clear that the Senate committee vote meant defeat for the environmentalists. A substitute measure, SB 860 (Carpenter), which gives coastline regulation powers to local government, was passed by the committee, but was termed "worthless" by environmentalists and is not expected to be passed by the full Senate.

Following their defeat, representatives of the Coastal Alliance announced plans to accelerate their drive to put a strong coastline protection initiative on the November ballot. "The Legislature has failed," said Mrs. Janet Adams, who is leading the initiative drive. "We trust the people will not. The coast is still out there, but it won't be there long." Some environmentalists were concerned however, that the defeat of this year's coastline bill may lead many voters to vote for Proposition 9, the "Environment Initiative", on the June ballot.

Federal Agency Rejects California's Clean Air Plan

The federal Environmental Protection Agency announced on May 31st that it had rejected substantial portions of California's recently submitted plan to meet federal clean air standards. The plan, prepared by the Air Resources Board, was found to be deficient in controlling four out of six major air pollutants — particulate matter, photochemical oxidants, nitrogen oxides, and hydrocarbons — in the Los Angeles basin. Almost all of the state's regions were found deficient in proposing steps to guard against new sources of air pollution. The state was also cited for lacking adequate money and manpower to fight air pollution, sufficiently strong regulations to shut down polluters, and acceptable smog monitoring systems.

EPA director William D. Ruckelshaus acknowledged that California may face the most difficult air pollution problem in the country, but emphasized the urgency of effective action to combat the problem. According to EPA officials, California will have until July 3rd to correct the deficiencies in its plan. If it fails to do so, the EPA will intervene to prescribe antipollution standards for the state.

New Traffic Trial System to be Tried

The Los Angeles Municipal Court and the Oakland-Piedmont Municipal Court have begun an experimental procedure in which minor traffic cases will be handled by special traffic commissioners. The programs, established with the assistance of the state Judicial Council, are intended to provide immediate hearings for persons who want to take minor traffic citations to court. They are also expected to help relieve municipal court congestion by shifting such cases to the new system and reduce the time law enforcement officers must spend sitting in court. The experiments are to run for 18 months

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Plebiscite on Equal Rights Amendment?

The Senate Rules Committee by a 2-3 vote has failed, for the third time, to approve a bill to ratify the Equal Rights Amendment (ERA), thus effectively killing the measure for this year (see *California Journal*, March 1972, Page 112). Committee chairman James R. Mills says he will change his vote from no to yes only if the people of California, in an advisory vote, indicate that they favor the amendment. To this end he is seeking legislative approval to place a plebiscite on the November ballot asking Californians if they want the Legislature to ratify the amendment. The vote would not be legally binding, but Mills says he would consider it so.

Women's groups which support passage of the ERA say they object to Mills' plan because it will require them to launch an expensive information campaign to educate the voters on a matter which is clearly a responsibility of the Legislature. They believe that the full Senate would ratify the ERA if the three opposing members of the Rules Committee — Senators Lagomarsino, Teale, and Mills — weren't blocking its release to the Senate floor. The Assembly has already agreed to ratification of the amendment, and Mills himself has said, "I must admit that there is something vaguely unsettling with a system that allows one vote to block a state's ratification of an amendment to the United States Constitution . . . I do not welcome the idea that I might be denying the majority of Californians something they desire."

Supporters of the ERA have indicated that with or without a plebiscite they intend to make ratification an issue in the coming general election campaign, but neither Mills nor the other two opponents on the Rules Committee are running this year.

State University System Expects Enrollment Drop

The latest estimates of fall 1972 enrollment for the California State University and Colleges indicate a total full-time equivalent enrollment of 228,170, a reduction of 4,530 from the 1972-73 budget estimate of 232,700 students. The reason for the drop, according to CSUC officials, is a decline in the average student workload from 12.4 units to 11.9 units. The reduction may or may not trigger a reduction in state support, depending on whether the Reagan administration honors a "two percent rule" which has been in effect for several years and which provides that the Department of Finance will neither raise nor lower budgeted state support as long as actual enrollment is within two percent of budget estimates.

Nevertheless, total individual enrollment (as opposed to full time equivalent enrollment) for the State University and Colleges is still expected to grow from 262,081 in the fall of 1971 to 280,000 next fall, despite the fact that the other segments of California higher education have lost enrollment. The most recent Department of Finance figures show that total individual enrollment at the University of California dropped from 109,033 in the fall of 1970 to 108,033 in 1971, and the total enrollment in 77 private institutions dropped from 120,776 to 117,787 in the same period.

Few Candidates Fail to File Campaign Contribution Reports

Despite at least one suggestion that his requirements were not within the scope of his powers, nearly every candidate for state office has filed detailed reports of campaign expenditures with Secretary of State Edmund G. Brown Jr. The detailed reporting regulations were issued by Brown in April (see *California Journal*, April 1972, page 116).

Senator John L. Harmer, Senate Republican Caucus leader, citing a Legislative Counsel's opinion which suggested that the regulations do not have the effect of law, said that the members of the caucus had no intention of complying with the regulations. However, when the May 17th deadline arrived, reports had been received from 529 of the 584 candidates for state office. Brown threatened criminal prosecution for the 55 who had not filed on time, but by May 30th only eight Assembly candidates had still failed to file reports. They included five Democrats, two Republicans, and one Peace and Freedom party member. All incumbents filed, although one Senator was late.

Both the number of statement filings and the degree of detail contained in them represent an improvement in the disclosure of campaign contributions and expenditures. Whatever the legality of Brown's new regulations, it is clear that few candidates for public office seek the kind of publicity just prior to an election that Brown is able to generate regarding those who fail to file.

Governor Supports Death Penalty Initiative

"I reiterate my belief capital punishment is a deterrent and the citizens themselves should have an opportunity to vote on it one way or another," Governor Ronald Reagan told newsmen in mid-May. Asked if he himself had yet signed a petition to place a death penalty initiative on the November ballot, the Governor said he could not remember for certain but was sure that if he hadn't, his wife would get him to sign one of the petitions she has circulated among her friends.

June 9th is the final date for submission of petitions for initiatives which are to go before the voters in November. According to Senator George Deukmejian, one of the leaders of the effort to restore the death penalty in California, backers of the death penalty initiative had succeeded in gathering only 200,000 signatures as late as three weeks before the deadline. He acknowledged that it would take a concerted effort to reach the goal of 800,000 signatures believed to be required to ensure that there will be the necessary 520,806 valid signatures when the petitions have been examined by the Secretary of State.

On May 2nd Deukmejian failed in an effort to get a two-thirds majority in the Senate for a constitutional amendment, SCA 13, to restore the death penalty. The vote was 25 to 13, two votes short of the necessary 27 votes.

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Selected State Government Reports

EDUCATION

The Management and Operations of the University of California, Volume IV: Physical Plant, Dept. of Finance, Audits Division, 1025 P Street, Sacramento 95814. ($2.50) March, 1972. 33 p. Study of the construction, maintenance and operation of the physical plant of the University.

The Management and Operations of the University of California, Vol. V: Materiel Management, Dept. of Finance, Audits Division, 1025 P Street, Sacramento 95814. ($2.50) May, 1972. 59 p. Analyzes the management of University supplies and equipment by function — purchasing, receiving, inventory, central stores, and vendor disbursements.

The 1,000 Mile Campus: The California State University and Colleges, Commission on External Degree Programs, 1801 East Cotati Avenue, Rohnert Park 94928. April, 1972. 87 p. Describes off-campus opportunities for students to earn degrees from the California State University and Colleges.

Serrano v. Priest: Implications for Educational Equality, Harvard Educational Review (Vol. 41, No. 4, Nov., 1971), 13 Appian Way, Cambridge, Mass. 02138. 33 p. ($1).

California State Board of Education Guidelines for School Districts to Use in Developing Procedures for Evaluating Certificated Personnel, Dept. of Education, 721 Capitol Mall, Sacramento 95814. 1972. 11 p. A framework for school districts to use in complying with AB 293 (Stull), which requires yearly evaluation of teaching performance.

Recommendations for Public School Support, Memo from State Board of Education School Support Committee, 721 Capitol Mall, Sacramento 95814. March 1, 1972. 16 p. plus addendum on urban problems and disadvantaged youth. Recommendations for legislation to bring public school financing into compliance with the *Serrano* decision.

Community Development Training in California, Coordinating Council for Higher Education, 1020 12th Street, Sacramento 95814. Dec., 1971. 22 p. plus appendices. An evaluation of programs funded under Title VIII of the Housing Act of 1964.

The Ratio of Public School Administrators to Classroom Teachers in California, Dept. of Education, 721 Capitol Mall, Sacramento 95814. April, 1972. 5 p. Shows that 41 districts had a total of 137 excess administrators.

Miller-Unruh Reading Testing Program Results for Educationally Handicapped Pupils, Spring 1971, Dept. of Education, Office of Program Management, 721 Capitol Mall, Sacramento 95814. March, 1972. 4 p. Compares reading test results of pupils in special programs for handicapped children with those of pupils in regular programs.

EMPLOYMENT

City of Pomona, Fair Employment Practice Commission, 1215 O Street, Sacramento 95814. Sept., 1971. 22 p. An investigation under Section 1421 of the California Labor Code.

City of Long Beach, Fair Employment Practice Commission, 1215 O Street, Sacramento 95814. July, 1971. 59 p. An investigation under Section 1421 of the California Labor Code.

ENVIRONMENT

Energy Use in California: Implications for the Environment, E. J. List, Environmental Quality Laboratory, California Institute of Technology, Pasadena 91109. ($1.00) Dec., 1971. (Report #3) 58 p. Shows that 94 percent of energy for the state is provided by hydrocarbon fossil fuels, and examines long-range implications of existing sources of energy in each of the eleven designated air basins.

Impact of Development Activities on the Fish and Wildlife Resources of the Trail Peak-Cottonwood Basin Area, Inyo County, Dept. of Fish and Game, 1416 Ninth Street, Sacramento 95814. April 28, 1972. 26 p. Urges limitations on road construction and resulting human use of wilderness areas due to their negative impact on the golden trout and the bighorn sheep, as well as other wildlife.

California Environmental Law: A Guide, California Center for Public Affairs, 226 W. Foothill Blvd., Claremont 91711. ($6.50 plus tax) 1972 Edition. 111 p. Annual guide to state laws regulating environmental quality, including changes and new laws enacted in 1971, as well as lists and descriptions of state agencies responsible for environmental quality.

Costs of Recreation and Fish and Wildlife Enhancement, Dept. of Water Resources, P.O. Box 388, Sacramento 95802. March, 1972. 16 p. Reports the department's expenditures for enhancement to state water projects.

Environmental Goals and Policies, Governor's Office of Planning and Research, available from Documents Section, P.O. Box 20191, Sacramento 95820. ($6.30) March 1, 1972. 91 p. plus appendices. Lays groundwork for the Governor's land-use policy and outlines general courses of action. An 11-page summary is available.

State Open Space and Resource Conservation Program for California, Eckbo, Dean, Austin & Williams, for the Joint Committee on Open Space Lands, 509 Library & Courts Bldg., Sacramento 95814. April, 1972. 60 p. Outlines an open space conservation program for the state.

Environmental Quality Study Council, 1972 Report, 1400 Tenth Street, Sacramento 95814. (limited copies available) March, 1972. 81 p. Covers activities of the council during 1971, and recommends legislative action for the current session.

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Assembly Line Testing, Air Resources Board, 1025 P Street, Sacramento 95814. May 10, 1972. 12 p. plus appendices. Reports on development and implementation of programs to test new cars at the assembly line for the control of vehicular emissions.

Coalition and Coalescence: Berkeley Links Ecology and Ethnicity, Rosalind & Albert Lepawshy, Center for California Public Affairs, Claremont 91711. April, 1972. 8 p. Case study of the movement to preserve Berkeley's open waterfront from being developed into the Park Marina Center shopping center.

Comprehensive Ocean Area Plan, Department of Navigation and Ocean Development, COAP Development Program, 1416 Ninth Street, Sacramento 95814. ($5.25) May, 1972. 60 p. plus 105 p. supplement. Proposes guidelines and a rationale for achieving a balance between conservation and development along the coastal zone.

HEALTH

Effects of Therapeutic Abortion Law on the Medical Profession, Dept. of Public Health, 2151 Berkeley Way, Berkeley 94704. April, 1972. 12 p. Summary of attitudes and services, including citations of court decisions affecting the law.

National Nutrition Survey in California, Dept. of Public Health, 2151 Berkeley Way, Berkeley 94704. April, 1972. 128 p. Data showed that malnutrition was evident in a large enough segment of the survey population to warrant concern.

LEGISLATURE

California's Legislature, by James D. Driscoll, Chief Clerk of the Assembly. Available from Legislative Bill Room, 212 State Capitol, Sacramento 95814. ($1.05) March, 1972. 182 p. General information on the composition and operation of the Legislature.

Legislative Advocates and Organizations, 1972 Directory, Joint Subcommittee on Legislative Advocate Registration, 430 State Capitol, Sacramento 95814. ($2.25) March, 1972. 115 p. List of registered legislative advocates, including their pictures.

Accredited Representatives: Press, Television, Radio, Joint Committee on Rules, available from 430 State Capitol, Sacramento 95814. April, 1972. 12 p.

PUBLIC FINANCE

California Counties Departmental Budgets, 1971-72, California Taxpayers' Association, 718 Eleventh and L Building, Sacramento 95814. ($5.00) April, 1972. 65 p. Statistical report of budgeted county expenditures for all purposes.

Paying for Public Schools: Issues of School Finance in California, The Urban Institute, 2100 M Street, N.W., Washington, D.C. 20037. ($1.00) April, 1972. 63 p. Brief analysis of the state's problems in financing its public school system, presentation of general alternatives and a look at legislative proposals in this area.

Report of the Task Force on Responsibility & Revenue, Phase I, Property Tax Reform, County Supervisors Association of California, Suite 201, 11th & L Building, Sacramento 95814. March 2, 1972. 59 p. Presents CSAC program for immediate property tax reform.

TRANSPORTATION

Flexible Public Transportation Systems Study (in Los Angeles), Business & Transportation Agency, 1120 N Street, Sacramento 95814. April 18, 1972. 16 p. Details of progress in planning for the Southern California Rapid Transit District.

1971 Section 256 Report and **California Continuing Functional Classification Study Report,** Business & Transportation Agency, 1120 N Street, Sacramento 95814. April 24, 1972. 99 p. plus appendices. Review of the California freeway and expressway system, including many maps.

MISCELLANEOUS

Youth Service Bureaus in California; Progress Report # 3, Dept. of the Youth Authority, 714 P Street, Sacramento 95814. May 19, 1972. 126 p. Final report on this pilot program to reduce juvenile delinquency.

Annual Report of the Model Cities Liaison Group, Office of Intergovernmental Management, 1400 Tenth Street, Sacramento 95814. March 2, 1972. 31 p. Indicates activities and technical assistance provided by the state to model cities.

California Statistical Abstract, 1971, State of California, Documents Section, P.O. Box 20191, Sacramento 95820. ($4.50 plus tax) August, 1971. 161 p. An update to the 1970 historical **Abstract,** showing recent data on social, political, economic, and physical aspects of the state.

The Megastates of America, Neal R. Peirce. W. W. Norton & Co., New York, 1972. 745 p. Inspired by John Gunther's Inside U.S.A. this book surveys the politics and personalities of the nation's ten largest states. Includes a 130-page chapter on California.

Reports listed in this section may be obtained from the agency or organization which published them, unless otherwise indicated. Prices are listed when available.

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PEOPLE IN THE NEWS

On July 1st **Earl W. Brian,** M.D., director of the Department of Health Care Services, will become Secretary of the Human Relations Agency, succeeding James M. Hall who recently resigned. Brian, 30, head of Health Care since January 1970, played a major role in designing and implementing Governor Reagan's 1971 program to reduce Medi-Cal expenditures. He joined state service in 1967 as Executive Secretary of the Social Welfare Board, serving until the following year, when he entered the U.S. Army Medical Corps as a flight surgeon. In his new post, Dr. Brian will be responsible for eight departments, including Corrections, Health Care Services, Human Resources Development, Mental Hygiene, Social Welfare, and the Youth Authority. The agency administers a $6.5 billion budget and employs 45,000 people, about 39 percent of the state government's work force.

Donald G. Livingston, 34, director of the Department of Consumer Affairs and a member of the Reagan administration for five years, is moving again — for the fifth time in two and one-half years. Governor Reagan has named him Director of Programs and Policy in the Governor's office. Livingston, a Republican, will be responsible for the development and coordination of major administration programs, including consumer affairs and environmental protection. As the first director of the new Department of Consumer Affairs, Livingston instituted a series of statewide public hearings on consumer issues (e.g., mobile homes, prescription drugs), set up the new Bureau of Automotive Repair, and generally tried to make the activities of the Department more visible to the public. Prior to this seven-month stint, Livingston was Assistant Secretary of the Agriculture and Services Agency for ten months, chief deputy director of the Department of General Services for ten months, and chief of the division of consumer affairs in the former Department of Professional and Vocational Standards for three months.

One of the Governor's legislative assistants, **John T. Kehoe,** 41, was appointed to replace Livingston as Director of the Department of Consumer Affairs. Before joining the Reagan administration in 1969 as the Governor's special consultant for education, Kehoe was director of governmental affairs for the Board of Trustees of the California State Colleges. Prior to that, he served as administrative assistant to Democratic congressman George P. Miller and, from 1957 to 1960, as assistant city manager of Hayward.

Henry P. "Pat" Sullivan, 50, California's Secretary of State for nine months during 1970, died May 31st, apparently of a heart attack. Sullivan, appointed Secretary of State in April 1970 to fill out the unexpired term of the late Secretary Frank M. Jordan, was not a candidate for the office in 1970 and returned to his post as Assistant Secretary of State under Edmund G. Brown Jr. He resigned from the office last November to become assistant chief deputy in the office of the Los Angeles County registrar-recorder. A civil servant and a Republican, Sullivan was highly regarded for operating the office of Secretary of State on a nonpartisan basis.

Paul Beck, 39, former Press Secretary to Governor Reagan for more than five years, and on March 20 appointed special assistant to the Governor in a major reorganization of Reagan's public affairs staff, didn't stay long with his new job. Beck resigned from the position in May to become executive assistant to Controller Houston I. Flournoy, a man frequently mentioned as a possible candidate for Governor in 1974.

Two new members have been appointed to the State Water Resources Control Board. **Roy E. Dodson, Jr.,** Director of Water Utilities for the City of San Diego, will fill the membership reserved for a civil engineer experienced in sanitary engineering. **Jean Auer,** 35, formerly a member of the San Francisco Bay Regional Quality Control Board, will fill Kerry W. Mulligan's unexpired term, which ends in January, 1973. **W. W. (Win) Adams** will continue to serve as chairman of the board, as he has on an acting basis since March.

Governor Reagan appointed **William A. Wilson,** 57, an engineer and president of a Los Angeles investment firm, to a 16-year term on the Board of Regents of the University of California. Wilson, a Stanford graduate, will fill the seat previously held by Edwin Pauley, who has retired.

Other gubernatorial appointments in May included four persons named to newly-created positions on the Council of Intergovernmental Relations. Alameda County Supervisor **Joseph P. Bort** will represent regional councils of government. Representing special districts will be: **Ralph W. Chapman,** president of the Otay Municipal Water District and the California Special Districts Association; **Jack W. Harris,** a director of the Embarcadero Municipal Improvement District; and **Jim G. Robbins,** a director of the Hayward Area Recreation District.

The Board of Trustees of the State University and Colleges has elected **Karl L. Wente,** 44, as chairman and **George D. Hart,** 64, vice chairman. Wente, a trustee since 1968, is president of Wente Brothers Winery in Livermore.

The Chairman of California's Air Resources Board, **Dr. Arie J. Haagen-Smit,** is the first recipient of the Cottrell Award for outstanding scientific achievements in improving the environment and controlling air pollution. The award, presented at a Washington, D.C., meeting the National Academy of Sciences, honored Dr. Haagen-Smit, professor emeritus of bio-organic chemistry at Cal-Tech, as discoverer of the nature of photochemical smog in 1950 and the measures needed to control it.

Members of the State Board of Transportation have elected **Richard R. Brown** as board chairman and **Aubrey E. Austin** as vice chairman. Austin is president of the Santa Monica Bank and Brown is president of Brown Tool Engineering Company and a member of the El Cajon City Council.

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VOTING RECORDS

Listed below are the votes of Senators and Assemblymen on the major roll calls in the Legislature through this month and a brief summary of the issues under consideration. Votes selected for inclusion are on issues of major importance to Californians as a whole or issues on which there is a major division of opinion, or both.

Y—Yes *—Absent or Not Voting
N—No

⅔ vote required for urgency measures, constitutional amendments, appropriation bills.

Assembly: 41 votes required for passage of bills requiring majority vote. ⅔ = 54 votes.

Senate: 21 votes required for passage of bills requiring majority vote. ⅔ = 27 votes.

SENATE

April 21st to 27th

SB 5 (Nejedly) — Establishes state policy for comprehensive solid waste management. Creates State Solid Waste Management Board. Requires each county to prepare and adopt a comprehensive, coordinated solid waste management plan for all waste disposal within county. Passed 28-2.

SB 312 (Petris) — Exempts aliens lawfully within state from prohibition against an alien owning, possessing, or having in custody a pistol, revolver or firearm capable of being concealed. Failed 11-16.

April 28th to May 4th

SB 110 (Song) — Requires that juries in civil actions consist of 8 persons or any lesser number agreed upon by parties in open court, instead of 12 persons. The number of jurors in criminal actions would remain at 12. Passed 24-9.

SB 43 (Dymally) — Reapportions Senate districts on basis of 1970 federal population census. Passed 28-7.

SB 42 (Dills) — Repeals provisions of Old Age Security Program governing relatives' responsibility to support parents on welfare. Passed 27-10.

SB 333 (Alquist) — Requires public utilities to maintain affirmative equal employment opportunity policy for hiring and promotional practices without discrimination on the basis of race, color, sex, religion, national origin, or ancestry. Failed 18-18.

SCA 13 (Deukmejian) — Proposed constitutional amendment authorizing the Legislature to re-establish the death penalty. To be submitted to voters on the November ballot. Failed 25-13.

May 5th to 11th

SB 321 (Harmer) — Would impose a non-refundable $5 community college enrollment application fee for students applying as special part-time community college students or as vocational education students. Failed 10-15.

May 12th to 18th

SB 162 (Gregorio) — Revises method of filling vacancies on school boards to authorize board within 30 days after vacancy has occurred to make a provisional appointment

SENATE

Republicans 18	SB 5	SB 312	SB 110	SB 43	SB 42	SB 333	SCA 13	SB 321	SB 162	SB 50 (A)	SB 50 (B)	SCA 72	SB 134	SB 311	SB 284
Behr	Y	Y	Y	N	Y	Y	N	*	N	Y	Y	Y	Y	*	*
Bradley	Y	N	Y	Y	N	N	Y	*	N	Y	N	N	N	N	N
Burgener	*	*	Y	Y	N	N	Y	Y	N	*	N	*	N	*	*
Carpenter	Y	*	Y	Y	N	N	Y	Y	N	Y	N	N	N	N	N
Coombs	Y	N	Y	Y	*	N	Y	*	Y	Y	N	Y	N	Y	*
Cusanovich	Y	N	Y	Y	Y	N	Y	Y	N	Y	N	Y	N	N	N
Deukmejian	Y	Y	Y	N	N	N	Y	*	Y	Y	N	Y	Y	Y	N
Grunsky	Y	N	Y	Y	Y	N	Y	N	Y	Y	Y	Y	N	Y	*
Harmer	N	*	Y	Y	N	N	Y	Y	Y	*	N		N	*	*
Lagomarsino	*	*	Y	*	N	N	Y	*	Y	Y	N	N	N	Y	*
Marks	*	N	Y	N	Y	Y	N	*	N	Y	Y	Y	Y	Y	Y
Marler	Y	Y	Y	Y	Y	N	Y	Y	Y	N	N	N	N	Y	Y
Nejedly	Y	N	Y	N	Y	Y	Y	*	Y	Y	Y	Y	Y	Y	Y
Richardson	Y	N	*	Y	N	N	Y	Y	N	N	N	N	N	*	*
Schrade	Y	N	N	Y	N	N	Y	Y	N	Y	N	N	N	Y	N
Stevens	Y	Y	Y	*	Y	N	Y	N	Y	Y	Y	Y	*	Y	*
Way	*	*	Y	Y	Y	N	Y	*	Y	Y	N	N	N	*	Y
Whetmore	Y	N	Y	Y	N	N	Y	Y	N	Y	N	N	N	*	*

Democrats 21	SB 5	SB 312	SB 110	SB 43	SB 42	SB 333	SCA 13	SB 321	SB 162	SB 50 (A)	SB 50 (B)	SCA 72	SB 134	SB 311	SB 284
Alquist	Y	*	Y	Y	Y	Y	N	Y	Y	Y	Y	Y	Y	Y	Y
Beilenson	Y	N	N	Y	Y	Y	N	N	Y	Y	Y	Y	Y	Y	Y
Carrell	*	*	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	*	Y
Collier	Y	N	N	Y	Y	N	Y	N	N	Y	N	Y	N	N	*
Dills	Y	N	Y	Y	Y	Y	Y	N	Y	Y	Y	Y	N	Y	Y
Dymally	Y	*	N	Y	Y	Y	N	N	Y	Y	Y	Y	Y	*	Y
Gregorio	Y	Y	Y	Y	Y	Y	N		Y	Y	Y	Y	Y	Y	Y
Holmdahl	Y	Y	Y	Y	N	Y	Y	N	Y	Y	Y	Y	N	Y	Y
Kennick	Y	*	*	Y	Y	N	Y	N	N	Y	Y	Y	Y	Y	Y
Mills	*	Y	Y	Y	Y	Y	N	*	*	Y	*	Y	Y	Y	Y
Moscone	Y	*	*	*	*	*	*	N	Y	Y	Y	Y	Y	Y	Y
Petris	Y	Y	Y	Y	Y	Y	N	*	*	*	Y	Y	Y	Y	Y
Roberti	Y	Y	N	Y	Y	Y	N	N	Y	Y	Y	Y	Y	*	*
Rodda	Y	Y	N	Y	Y	Y	N	N	Y	Y	Y	Y	Y	Y	Y
Short	Y	N	*	N	Y	Y	N	N	Y	Y	Y	Y	Y	*	Y
Song	*	Y	Y	Y	Y	N	Y	*	N	*	Y	Y	Y	*	Y
Stiern	Y	N	N	Y	Y	Y	Y	N	N	Y	Y	Y	Y	Y	Y
Teale	*	N	N	Y	Y	*	N	*	N	Y	Y	Y	Y	N	Y
Walsh	*	*	N	N	Y	*	Y	*	N	*	*	*	*	*	*
Wedworth	Y	N	*	*	Y	Y	Y	N	*	*	*	*	*	*	*
Zenovich	N	*	*	N	Y	Y	N	N	Y	Y	Y	Y	Y	Y	Y

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or to call a special election. Provides that person appointed to fill vacancy shall not be considered an incumbent for purposes of next school board election. Passed 21-15.

SB 50 (A) (Collier) — Appropriates $7.8 billion for the support of state government for fiscal year 1972-73. Passed 31-2.

SB 50 (B) (Collier) — Amendment to Budget Bill to provide additional $26.6 million for University of California contingent upon UC Board of Regents abolishing tuition for students. The $26.6 million augmentation would replace tuition revenues. Amendment adopted 22-14.

SCA 72 (Moscone) — Reduces from ⅔ to majority the vote required to pass school bonds. Adopted 27-8.

May 19th to 25th

SB 134 (Petris) — Redefines veterans' association for purposes of renting or leasing public buildings to mean any association composed of a majority of U.S. war veterans instead of any association composed solely of war veterans. Refused passage 20-16.

SB 311 (Marks) — Requires welfare checks to Old Age Security recipients to be mailed in time to be received not later than the first day of the following month, with exceptions. Passed 21-5.

SB 284 (Beilenson) — Requires county health officers to furnish all hospitals within county lists of family planning and birth control clinics located within county so that each hospital may distribute to abortion and maternity patients. Passed 21-5.

ASSEMBLY

April 21st to 27th

AB 301 (Priolo) — Requires local planning agency at a public hearing to determine the boundaries of a proposed land project area which may be significantly affected by the project and to inform public that residents of the area have the right to seek a referendum on the proposal. Passed 55-11.

AB 4 (Garcia) — Requires foreign-language speaking election officials in precincts with substantial numbers of non-English speaking voters. Would not affect elections officials already appointed for 1972 elections. Passed 46-17.

AB 5 (Murphy) — Creates Joint Legislative Committee on Corrections Administration and the office of Ombudsman for Corrections. Gives ombudsman authority to investigate prisoner complaints. Passed 52-14.

AB 211 (Murphy) — Removes authority of Governor to revoke paroles and establishes parole revocation authority with Adult Authority. Passed 41-23.

AB 667 (Gonsalves) — Restores the Old Age Security responsible relative scale of payments to the levels which applied prior to the Welfare Reform Act of 1971. Passed 60-11.

AB 304 (Priolo) — Permits residents of an area in which a project is developed which would have environmental impact to petition for referendum on a proposed land project affecting them. Passed 41-20.

AB 246 (Wood) — Requires the adoption of regulations governing the safe use of pesticides and safe working conditions for farmworkers, pest control applicators, and other persons handling, transporting, storing, or applying pesticides or working in pesticide-treated areas. Passed 50-11.

April 28th to May 4th

AB 1221 (Brown) — Would permit minor arrested and brought before juvenile court to petition court for sealing of his arrest records after he is no longer under jurisdiction of juvenile court and has completed a program of supervision. Passed 41-20.

AB 744 (Biddle) — Requires all persons after July 1, 1973 to wear safety helmet while driving or riding on a motorcycle. Passed 41-19.

AB 78 (L. F. Greene) — Prohibits employer from taking any tip or gratuity from employee or to credit it against his wages. Passed 45-24.

AB 699 (Vasconcellos) — Would allow prospective voters to be registered on public high school campuses. Passed 48-17.

May 5th to 11th

AB 384 (Maddy) — Permits revenue raised from student body organization membership fees to be used for the support of student lobbying activities. Passed 55-2.

AB 781 (Maddy) — Authorizes school districts to require uniforms for classified school employees (other than teachers). Passed 43-15.

AB 1710 (Brown) — Extends women's protective labor laws, with exception of weightlifting standards, to men. Passed 54-10.

AB 264 (Burton) — Requires public high schools to provide instruction relating to military service and the draft. To become inoperative upon termination of the draft. Failed 22-33.

ACA 48 (Z'berg) — Declares it is the policy of the state to protect natural resources and to maintain an environment of high quality. Authorizes local government to enact regulations not in conflict with state law to achieve these objectives. To be submitted to a vote of the people. Adopted 59-4.

AB 1877 (Brown) — Increases salary of chairman of Board of Equalization from $26,250 to $34,125 and salary board members from $25,000 to $32,500. Failed 22-31.

May 12th to 18th

AB 483 (Brown) — Prohibits school districts from administering mass I.Q. tests in order to measure scholastic aptitude. Passed 50-10.

AB 662 (Dunlap) — Repeals statutory requirement that custody of minor child be given to mother rather than father when all things are equal. Requires courts to consider both parents equally. Passed 45-16.

AB 401 (Maddy) — Increases the maximum student body organization membership fee which may be charged state college students from $20 to $30. Passed 45-11.

AB 1000 (Moretti) — $1.25 billion tax package designed to give $714 million in property tax relief and provide $500 million in state school support. Increases state sales tax by 1 percent; increases personal income tax and bank and corporation taxes. Passed 56-16.

ACA 14 (Ralph) — Provides that the Legislature has the power to establish a state-operated lottery in which the net proceeds are used for the support of education and state institutions. Failed for second time 38-34.

May 19th to 25th

AB 763 (Keysor) — Specifies that when vacancies exist on school district governing board, that such vacancies shall not be counted in determining how many members of school board constitute a majority for purposes of making decisions. Passed 45-18.

AB 70 (Z'berg) — Authorizes the impanelment of two grand juries in any county, one to inquire into all matters subject to grand jury inquiry, except public offenses; and

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ASSEMBLY Republicans	AB 301	AB 4	AB 5	AB 211	AB 667	AB 304	AB 246	AB 1221	AB 744	AB 78	AB 699	AB 384	AB 781	AB 1710	AB 264	ACA 48	AB 1877	AB 483	AB 662	AB 401	AB 1000	ACA 14	AB 763	AB 70	SB 50	AB 488	AB 2149	ACA 95
Arnett	Y	Y	Y	Y	N	Y	Y	Y	Y	N	*	Y	Y	Y	N	Y	N	*	Y	Y	N	Y	Y	Y	Y	*	*	Y
Badham	*	*	*	*	*	*	*	N	Y	N	N	N	Y	Y	*	N	N	Y	Y	Y	N	Y	N	Y	Y	*	*	Y
Bagley	Y	Y	Y	Y	N	Y	Y	*	Y	N	*	*	*	Y	Y	*	*	*	*	*	N	N	*	*	*	*	*	Y
Barnes	N	N	N	Y	N	*	Y	N	Y	Y	N	*	Y	N	N	N	N	*	N	*	N	N	*	Y	Y	N	*	Y
Belotti	*	N	Y	Y	Y	*	Y	Y	Y	Y	Y	N	Y	N	Y	N	N	N	Y	*	N	N	N	Y	*	Y	Y	Y
Beverly	Y	*	Y	N	Y	Y	Y	N	Y	Y	Y	*	Y	Y	Y	Y	*	Y	Y	Y	Y	N	Y	Y	Y	N	Y	Y
Biddle	*	N	*	N	Y	*	Y	N	Y	*	*	*	*	*	*	N	Y	*	Y	Y	N	Y	N	*	*	*	N	N
Briggs	Y	Y	N	N	Y	Y	Y	N	Y	*	*	*	N	Y	*	Y	Y	*	Y	Y	Y	Y	Y	Y	Y	*	Y	*
Brophy	N	Y	N	Y	N	*	*	*	*	*	N	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
Burke	N	N	N	N	N	*	Y	N	N	N	N	*	N	Y	*	N	N	*	*	*	N	N	N	*	*	N	N	Y
Campbell	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	Y	Y	*	*	*	*	*	*
Chappie	N	*	*	Y	Y	N	Y	Y	Y	*	Y	N	Y	Y	Y	N	Y	*	Y	Y	Y	N	N	*	*	*	Y	Y
Cline	Y	*	N	N	N	Y	*	Y	N	Y	N	Y	Y	N	Y	N	N	Y	N	N	Y	Y	Y	N	*	N	Y	Y
Collier	N	N	N	N	N	N	*	N	N	*	*	N	N	N	N	*	Y	N	N	N	*	N	N	*	*	N	Y	Y
Conrad	Y	N	N	N	N	Y	Y	N	Y	N	*	*	N	N	N	N	N	N	N	N	N	N	N	*	*	N	N	Y
Dent	Y	*	*	*	*	N	Y	N	Y	Y	N	N	Y	Y	Y	N	N	Y	Y	Y	N	N	Y	Y	Y	N	Y	Y
Duffy	Y	*	Y	N	Y	Y	Y	Y	Y	Y	Y	N	Y	Y	Y	N	Y	Y	Y	Y	N	N	N	Y	Y	N	Y	Y
Hayden	Y	N	Y	N	N	Y	Y	N	Y	Y	Y	N	Y	Y	Y	N	Y	Y	Y	Y	N	Y	N	Y	Y	N	Y	Y
Hayes	Y	*	*	*	*	*	*	*	*	*	N	Y	*	*	*	*	*	*	*	*	*	*	*	*	*	*	Y	*
Johnson, R.	Y	N	Y	Y	Y	*	Y	N	Y	*	N	Y	Y	Y	N	Y	Y	Y	Y	Y	Y	N	N	*	*	N	Y	Y
Ketchum	*	N	N	N	Y	*	Y	N	N	N	*	*	Y	N	N	N	N	Y	N	N	N	N	N	Y	Y	N	N	N
Lanterman	*	*	*	*	*	*	*	*	Y	*	Y	N	N	*	Y	*	N	N	Y	*	N	*	*	*	*	N	*	Y
Lewis	Y	*	*	*	Y	N	Y	N	Y	Y	Y	N	Y	*	Y	N	N	*	*	*	N	N	*	*	*	N	Y	Y
MacGillivray	Y	N	N	N	Y	*	Y	*	N	Y	Y	N	N	*	N	*	N	Y	Y	Y	*	N	N	N	Y	N	Y	Y
Maddy	Y	Y	Y	N	Y	*	Y	*	Y	Y	Y	N	Y	Y	Y	N	N	Y	Y	Y	N	N	Y	N	Y	N	Y	Y
Mobley	*	*	Y	Y	Y	N	Y	N	*	Y	Y	N	Y	Y	N	Y	*	*	*	*	*	Y	N	N	N	N	Y	Y
Monagan	*	N	*	Y	Y	N	Y	*	Y	N	*	*	*	*	*	*	N	N	Y	*	*	N	*	*	*	N	Y	Y
Moorhead	N	N	N	N	N	*	Y	N	*	*	*	N	N	*	*	N	N	Y	N	N	N	N	*	*	*	N	Y	Y
Murphy	Y	N	Y	Y	Y	N	Y	Y	Y	N	Y	N	Y	Y	N	Y	N	Y	Y	Y	N	Y	N	Y	Y	N	Y	Y
Priolo	Y	Y	N	N	Y	*	Y	N	N	Y	*	Y	Y	Y	N	*	*	*	Y	Y	N	Y	Y	Y	Y	N	Y	Y
Russell	Y	N	N	N	Y	Y	N	Y	N	N	Y	N	Y	Y	N	Y	N	Y	Y	Y	N	Y	N	Y	Y	N	Y	Y
Seeley	Y	N	*	N	Y	*	Y	*	Y	N	*	*	*	*	*	*	Y	Y	Y	*	*	N	*	*	*	N	Y	Y
Stacey	N	N	N	N	Y	*	Y	N	N	N	Y	N	Y	Y	N	Y	N	Y	Y	Y	N	Y	N	Y	Y	N	Y	Y
Stull	N	N	N	N	N	*	*	*	Y	N	N	N	Y	Y	N	N	N	Y	Y	Y	N	N	N	*	*	N	Y	Y
Wakefield	N	*	*	*	*	N	Y	*	N	*	*	*	N	Y	N	Y	N	Y	Y	Y	N	N	N	*	*	N	Y	Y
Wood	Y	*	*	*	*	*	Y	Y	N	Y	Y	Y	Y	N	Y	Y	Y	Y	Y	Y	N	Y	Y	Y	Y	N	Y	Y

Democrats	AB 301	AB 4	AB 5	AB 211	AB 667	AB 304	AB 246	AB 1221	AB 744	AB 78	AB 699	AB 384	AB 781	AB 1710	AB 264	ACA 48	AB 1877	AB 483	AB 662	AB 401	AB 1000	ACA 14	AB 763	AB 70	SB 50	AB 488	AB 2149	ACA 95
Bee	Y	Y	Y	*	Y	N	Y	Y	Y	Y	N	Y	Y	Y	Y	N	Y	Y	Y	*	Y	Y	*	Y	Y	*	*	*
Brathwaite	*	Y	Y	Y	Y	*	*	Y	*	*	*	Y	*	*	*	*	*	*	*	*	Y	Y	Y	Y	Y	*	*	*
Brown	Y	Y	Y	*	Y	Y	N	Y	*	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	*	Y	Y	Y	Y	Y	*	*	Y
Burton	Y	Y	Y	Y	Y	Y	N	Y	N	Y	*	*	Y	Y	Y	Y	Y	Y	Y	*	Y	Y	Y	Y	Y	Y	Y	Y
Chacon	Y	Y	Y	Y	Y	Y	N	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	*	Y	Y	Y	Y	Y	Y	Y	Y
Cory	Y	Y	Y	Y	Y	Y	Y	N	Y	*	Y	N	Y	Y	Y	Y	Y	Y	Y	*	Y	Y	N	Y	Y	N	*	Y
Crown	Y	Y	Y	Y	Y	Y	N	*	Y	Y	*	*	*	Y	Y	Y	*	*	*	*	Y	Y	N	Y	Y	Y	*	Y
Cullen	Y	Y	Y	Y	Y	*	N	N	Y	*	*	Y	*	N	Y	*	*	Y	N	*	Y	Y	N	Y	Y	Y	Y	Y
Davis	N	*	Y	N	Y	N	Y	Y	*	Y	N	*	Y	Y	Y	*	*	Y	N	*	Y	Y	N	N	N	Y	Y	Y
Deddeh	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	*	Y	Y	N	Y	Y	*	Y	Y	Y	N	Y	Y	Y	Y	N	Y	Y
Dunlap	Y	Y	Y	Y	Y	Y	*	Y	N	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	N	Y	Y
Fenton	Y	Y	Y	N	Y	Y	Y	Y	N	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	N	Y	Y
Fong	Y	Y	Y	*	Y	N	Y	*	*	Y	*	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	N	Y	Y
Foran	Y	Y	Y	*	Y	Y	Y	Y	Y	Y	*	Y	Y	Y	Y	Y	Y	Y	Y	*	Y	Y	Y	Y	Y	N	Y	Y
Garcia	Y	Y	Y	Y	Y	Y	N	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	*	Y	Y	Y	Y	Y	N	Y	Y
Gonsalves	Y	Y	Y	Y	Y	Y	Y	N	N	Y	Y	Y	Y	Y	N	*	Y	Y	Y	*	Y	N	Y	Y	Y	N	Y	Y
Greene, B.	*	Y	Y	Y	Y	*	Y	*	*	Y	*	Y	*	*	*	*	Y	*	Y	*	Y	Y	*	*	*	N	Y	Y
Greene, L.	Y	Y	Y	Y	Y	Y	N	Y	*	Y	Y	Y	Y	Y	Y	*	Y	Y	Y	*	Y	N	Y	Y	Y	N	Y	Y
Johnson, H.	Y	Y	Y	Y	Y	N	Y	N	N	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	*	Y	Y	Y	Y	Y	N	Y	Y
Karabian	Y	Y	Y	Y	Y	Y	*	Y	*	Y	*	Y	Y	Y	Y	Y	*	*	Y	*	Y	Y	Y	Y	Y	N	Y	Y
Keysor	Y	Y	Y	Y	Y	Y	Y	Y	Y	*	Y	Y	Y	Y	Y	Y	Y	Y	Y	*	Y	Y	Y	Y	Y	N	Y	Y
Knox	Y	Y	Y	Y	Y	*	N	*	N	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	*	Y	Y	Y	Y	Y	N	Y	Y
LaCoste	Y	Y	Y	Y	Y	N	Y	N	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	*	Y	Y	Y	Y	Y	N	Y	Y
MacDonald	Y	Y	Y	N	Y	Y	*	Y	Y	Y	Y	*	Y	Y	Y	Y	Y	Y	Y	*	Y	Y	Y	Y	Y	N	Y	Y
McAlister	Y	Y	Y	N	Y	Y	Y	N	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	*	Y	Y	Y	Y	Y	N	Y	Y
McCarthy	Y	Y	Y	Y	Y	Y	Y	Y	Y	*	Y	Y	Y	Y	Y	Y	Y	Y	Y	*	Y	Y	Y	Y	Y	N	Y	Y
Meade	Y	Y	Y	Y	Y	Y	N	Y	Y	Y	N	Y	Y	N	Y	*	Y	Y	Y	*	Y	Y	Y	Y	Y	N	Y	Y
Miller	Y	Y	Y	Y	Y	Y	N	*	*	Y	*	Y	Y	Y	Y	*	Y	Y	Y	*	Y	Y	Y	Y	Y	N	Y	Y
Moretti	*	Y	*	Y	Y	Y	N	Y	*	Y	*	Y	Y	Y	Y	*	Y	Y	Y	*	Y	Y	Y	Y	Y	N	Y	Y
Pierson	Y	Y	Y	Y	Y	*	Y	*	Y	N	Y	N	Y	Y	Y	Y	Y	Y	Y	*	Y	Y	Y	Y	Y	N	Y	Y
Porter	N	Y	Y	N	Y	N	*	Y	N	Y	*	Y	Y	Y	Y	Y	Y	Y	Y	*	Y	Y	Y	Y	Y	N	Y	Y
Powers	Y	Y	Y	Y	Y	N	Y	N	N	Y	N	Y	Y	Y	N	Y	Y	Y	Y	*	Y	Y	Y	Y	Y	N	Y	Y
Quimby	*	*	*	*	*	*	*	*	Y	*	Y	*	*	Y	Y	*	Y	Y	Y	*	Y	Y	Y	Y	Y	N	Y	Y
Ralph	Y	Y	Y	Y	Y	Y	Y	Y	*	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	*	Y	Y	Y	Y	Y	N	Y	Y
Ryan	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	N	Y	Y	Y	Y	Y	*	Y	Y	Y	Y	Y	N	Y	Y
Sieroty	Y	Y	Y	Y	Y	Y	*	Y	*	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	*	Y	Y	Y	Y	Y	N	Y	Y
Thomas	Y	Y	Y	Y	Y	Y	Y	*	*	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	*	Y	Y	Y	Y	Y	N	Y	Y
Townsend	Y	*	Y	*	Y	*	*	Y	Y	Y	*	N	N	Y	Y	*	Y	N	Y	*	Y	Y	Y	Y	Y	N	Y	Y
Vasconcellos	Y	Y	Y	Y	Y	N	Y	N	Y	Y	N	Y	Y	Y	Y	Y	Y	Y	Y	*	Y	Y	Y	Y	Y	N	Y	Y
Warren	Y	Y	Y	Y	Y	Y	Y	N	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	*	Y	Y	Y	Y	Y	N	Y	Y
Wilson	*	Y	Y	Y	Y	N	Y	N	Y	Y	Y	Y	Y	Y	Y	*	Y	Y	Y	*	Y	Y	Y	Y	Y	N	Y	Y
Waxman	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	*	Y	Y	N	Y	Y	Y	Y	Y	*	Y	Y	Y	Y	Y	N	Y	Y
Z'berg	Y	Y	Y	Y	Y	Y	N	Y	Y	Y	Y	N	Y	Y	Y	Y	Y	Y	Y	*	Y	Y	Y	Y	Y	N	Y	Y

one to inquire into public offenses. Passed 45-18.

SB 50 (Collier) -- Appropriates $7.8 billion for the support of state government for fiscal year 1972-73. Passed 53-10.

AB 488 (Dunlap) — Provides for the establishment of alternative schools to enable teachers, parents, and students to participate in the development of the learning process. Such schools would be operated in a manner to maximize the opportunity for improvement of the general school curriculum by innovative methods and ideas. Requires teachers and pupils be selected from volunteers. Failed 24-24.

AB 2149 (Wood) — Allows counties, cities, and districts to seek advisory opinions on non-legislative matters through submission of such matters to vote of people. Urgency clause refused adoption, 45-18. To inactive file.

ACA 95 (Moretti & Monagan) — A bipartisan legislative reorganization plan to be submitted to the voters for approval. Provides for two-year legislative sessions, abolishes veto session, and makes other legislative changes. Adopted 60-8.

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Political campaigns are designedly made into emotional orgies which endeavor to distract attention from the real issues involved, and they actually paralyze what slight powers of cerebration man can normally muster.

- James Harvey Robinson

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